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THE  
S T A T U T E S  
OF  
*THE UNITED KINGDOM*  
OF  
GREAT BRITAIN AND IRELAND,  
53 GEORGE III. 1813.

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A  
T A B L E

Containing the TITLES of all

THE STATUTES,

Passed in the FIRST Session of the FIFTH Parliament

OF

The United Kingdom of *Great Britain and Ireland*;

53 GEORGE III.

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PUBLICK GENERAL ACTS.

1. **A**N A&t to continue, until the First Day of *October* One thousand eight hundred and thirteen, an A&t of the last Session of Parliament, for allowing the Use of Sugar in Brewing Beer in *Great Britain*. Page 1
2. An A&t to continue, until the First Day of *October* One thousand eight hundred and thirteen, and amend an A&t of the last Session of Parliament, for prohibiting the making of Starch, Hair Powder and Blue, from Wheat and other Articles of Food; and for suspending Part of the Duties now payable on the Importation into *Great Britain* of Starch. 2
3. An A&t to amend an A&t of the last Session of Parliament, for prohibiting the Intercourse between the Islands of *Jamaica* and *Saint Domingo*. 3
4. An A&t for granting a Sum of Money for purchasing an Estate for the Marquis of *Wellington* and his Heirs, in Consideration of the eminent and signal Services performed by the said Marquis of *Wellington* to His Majesty and the Public. 4
5. An A&t to continue, until the Twenty fifth Day of *March* One thousand eight hundred and fourteen, an A&t of the last Session of Parliament, for making more effectual Provision for preventing the Current Gold Coin of The Realm from being paid or accepted for a greater Value than the Current Value of such Coin; for preventing any Note or Bill of the Governor and Company of the Bank of *England*, or of the Governor and Company of the Bank of *Ireland*, from being received for any smaller Sum than the Sum therein specified; and for staying Proceedings upon any Distress by Tender of such Notes. 17
6. An A&t to explain and amend an A&t passed in the Fifty second Year of the Reign of His present Majesty, intituled *An Act for* the

- the Relief of certain Insolvent Debtors in England; and to enlarge the Powers of the same in certain cases.* Page 18
7. An Act to continue until the Thirty first Day of *December* One thousand eight hundred and thirteen, an Act made in the Forty ninth Year of His present Majesty, to prohibit the Distillation of Spirits from Corn or Grain in the United Kingdom, and another Act made in the Forty ninth Year of His present Majesty, to suspend the Importation of *British* or *Irish*-made Spirits into *Great Britain* and *Ireland* respectively; and to continue the Duties on Worts or Wash made from Sugar in *Great Britain*, and the Duties on Spirits made from Sugar in *Ireland*. 22
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10. An Act for charging an additional Duty on Rice imported into *Great Britain*. 28
11. An Act for allowing an additional Drawback on Chocolate exported. 30
12. An Act for indemnifying such Persons as have advised or acted under an Order in Council for allowing the Importation of certain Articles into the *West Indies*, and for permitting such Importation until the Thirtieth Day of *June* One thousand eight hundred and thirteen. *Ibid.*
13. An Act for authorizing the Assistant Secretary to the Postmaster General to send and receive Letters and Packets free from the Duty on Postage. 31
14. An Act to explain so much of Two Acts, for regulating His Majesty's Household and for other Purposes, as relates to the Powers of the Commissioners for the Care and Management of His Majesty's Real and Personal Estate. *Ibid.*
15. An Act for continuing to His Majesty certain Duties on Malt, Sugar, Tobacco and Snuff, in *Great Britain*; and on Pensions, Offices and Personal Estates in *England*, for the Service of the Year One thousand eight hundred and thirteen. 32
16. An Act for raising the Sum of Ten millions five hundred thousand Pounds by Exchequer Bills, for the Service of *Great Britain* for the Year One thousand eight hundred and thirteen. 52
17. An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters. 53
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19. An Act to amend an Act of the last Session of Parliament, to prevent the issuing and circulating of Pieces of Gold and Silver or other Metal usually called *Tokens*, except such as are issued by the Banks of *England* and *Ireland* respectively. *Ibid.*
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21. An Act for authorizing the Commissioners of Customs and Excise to make an Allowance for the necessary Subsistence of poor Persons confined for Debts or Penalties sued for under their Orders. *Ibid.*



22. An Act for empowering the Commissioners of Excise to sell Salt seized Duty free, either for Exportation or for curing Fish, and to reward the seizing Officer. *Page 118*
23. An Act to repeal so much of an Act of this Session as continues the Prohibition of the making of Starch from Wheat and other Articles of Food. *120*
24. An Act to facilitate the Administration of Justice. *Ibid.*
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27. An Act for raising the Sum of One million five hundred thousand Pounds, by Exchequer Bills, for the Service of *Great Britain*, for the Year One thousand eight hundred and thirteen. *154*
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32. An Act to continue, until the Twenty fifth Day of *March* One thousand eight hundred and fourteen, an Act for regulating the Drawbacks and Bounties on the Exportation of Sugar from *Ireland*. *169*
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41. An Act for granting Annuities to satisfy certain Exchequer Bills, and for raising a Sum of Money by Debentures for the Service of *Great Britain*. *Ibid.*
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- on the Exportation of certain Goods, Wares and Merchandize into and from *Ireland*. Page 229
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- with the same for the Support of their Wives and Families, and for preventing Frauds and Abuses attending such Payments. Page 331
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94. An Act to grant an additional Duty of Excise on Spirits made or distilled from Corn or Grain in Ireland. Ibid.
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101. An



101. An Act to dissolve the Corporation of the Royal Canal Company in *Ireland*, and to appoint Commissioners for inquiring into and examining the Claims of the Creditors of the said Company, and other Matters relating to the said Company; and to provide for carrying on and completing the Canal from *Dublin* to *Tarmonbury* on the *River Shannon*. Page 375
102. An Act for the Relief of Insolvent Debtors in *England*. *Ibid.*
103. An Act to authorize the Commissioners to transfer Excise Licences to the Executors or Administrators of deceased Licensed Traders, or to their Successors, in the Houses from which such Licensed Traders shall have removed. 402
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113. An Act for providing Relief for the Poor Prisoners confined in the *King's Bench, Fleet* and *Marshalsea*, Prisons. *Ibid.*
114. An Act to continue and amend an Act of the present Session, to prevent the issuing and circulating of Pieces of Gold and Silver, or other Metal, usually called Tokens, except such as are issued by the Banks of *England* and *Ireland* respectively. 446
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126. An Act to extend the Provisions of an Act of the Ninth and Teuth Year of King *William* the Third, for preventing the Embezzkement of Stores of War, to all Public Stores. 559
127. An Act for the better Regulation of Ecclesiastical Courts in *England*; and for the more easy Recovery of Church Rates and Tithes. 560
128. An

128. An Act to relieve from the Operation of the Statute of the Twenty fifth Year of the Reign of King *Charles* the Second, intituled *An Act for preventing Dangers which may happen from Popish Recusants*, all such of His Majesty's Popish or Roman Catholic Subjects of *Ireland* as, by virtue of the Act of Parliament of *Ireland* of the Thirty third Year of His Majesty's Reign, intituled *An Act for the Relief of His Majesty's Popish or Roman Catholic Subjects of Ireland*, hold, exercise or enjoy any Civil or Military Offices or Places of Trust or Profit, or any other Office whatsoever, of which His Majesty's said Subjects are by the said Act of Parliament of *Ireland* rendered capable. Page 566
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133. An Act to amend an Act of the present Session of Parliament, for granting a Sum of Money for purchasing an Estate for the Marquis of *Wellington* and his Heirs, in consideration of the eminent and signal Services performed by the said Marquis of *Wellington* to His Majesty and the Public. 575
134. An Act to amend an Act of the Forty sixth Year of His present Majesty, for settling and securing a certain Annuity, and for purchasing an Estate for the Earl *Nelson*. 577
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139. An Act for exempting Bankers, and others from certain Penalties contained in an Act of the last Session of Parliament, for the further Prevention of the Counterfeiting of Silver Tokens issued by the Governor and Company of the Bank of *England*, called

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140. An Act to amend an Act passed in the last Session of Parliament, intituled *An Act for the more effectual Regulation of Pilots, and of the Pilotage of Ships and Vessels on the Coast of England*, and for the Regulation of Boatmen employed in supplying Vessels with Pilots licensed under the said Act, so far as relates to the Coast of *Kent*, within the Limits of *The Cinque Ports*. 626
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143. An Act to direct the Application of the Sum of Fifty thousand Pounds, and of such further Sums as may be granted for the Benefit of the Company of Undertakers of the Grand Canal in *Ireland*. 639
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146. An Act to amend an Act made in the Forty fifth Year of His present Majesty, intituled *An Act to amend the Laws for improving and keeping in Repair the Post Roads in Ireland, and for rendering the Convooyance of Letters by His Majesty's Post Office more secure and expeditious*. 651
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150. An Act for the more speedy and effectual Examination and Audit of the Accounts of Military Expenditure in *Spain* and *Portugal*, for removing Delays in passing the Public Accounts, and for making new Arrangements for conducting the Business of the Audit Office. 672
151. An Act for regulating the Office of Registrar of the High Court of Admiralty and High Court of Appeals for Prizes. 674
152. An Act to continue, until the First Day of *January* One thousand eight hundred and nineteen, an Act made in the Fifty first Year of His present Majesty, to explain and amend the Laws touching the Elections of Knights of the Shire to serve in Parliament for *England*, respecting the Expences of Hustings and Poll Clerks, so far as regards the City of *Westminster*. 677
153. An Act to enable His Majesty to grant additional Annuities to the Judges of the Courts in *Westminster Hall*, on their Resignation of their Offices. 678
154. An

154. An Act to render valid and to authorize the Payment and granting of certain Pensions at *Kilmainham* Hospital; and to empower the Commissioners of the said Hospital to commute Pensions for a Sum of Money in certain cases. *Page 679*
155. An Act for continuing in the *East India* Company for a further Term the Possession of the *British* Territories in *India*, together with certain exclusive Privileges; for establishing further Regulations for the Government of the said Territories and the better Administration of Justice within the same; and for regulating the Trade to and from the Places within the Limits of the said Company's Charter. *681*
156. An Act to provide for the Payment of the Charge of the Annuities created in respect of the Sum of Six Millions granted for the Service of *Ireland*, for the Year One thousand eight hundred and thirteen. *735*
157. An Act for granting the Sum of Fifty thousand Pounds to *John Palmer* Esquire, in consideration of the Public Services performed by the said *John Palmer*, in the Improvement of the Post Office Revenue. *736*
158. An Act for vesting in His Majesty certain Parts of *Windsor Forest*, in the County of *Berks*, and for inclosing the Open Commonable Lands within the said Forest. *Ibid.*
159. An Act to limit the Responsibility of Ship Owners in certain cases. *792*
160. An Act to relieve Persons who impugn the Doctrine of the Holy Trinity from certain Penalties. *797*
161. An Act for enabling His Majesty to raise the Sum of Five Millions, for the Service of *Great Britain*; and for applying the Sum of Two hundred thousand Pounds *British* Currency for the Service of *Ireland*. *Ibid.*
162. An Act to repeal a certain Provision respecting Persons convicted of Felony without Benefit of Clergy, contained in an Act made in the Fifty-second Year of the Reign of His present Majesty, for the Erection of a Penitentiary House for the Confinement of Persons convicted within the City of *London* and County of *Middlesex*, and for making other Provisions in lieu thereof. *798*

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## LOCAL AND PERSONAL ACTS

TO BE JUDICIALLY NOTICED;

OR PRINTED COPIES WHEREOF ARE DECLARED TO BE EVIDENCE.

- i. **A**N Act to enlarge the Term and Powers of an Act of His present Majesty, for repairing the Road from the Guide Post near *Sudden Bridge*, in the Parish of *Rochdale*, to *Bury*, and a Branch therefrom, all in the County Palatine of *Lancaster*. *Page 799*
- ii. An Act for enlarging the Powers of an Act of His present Majesty, for repairing Roads leading to and from *Tiverton*, in the County of *Devon*, and for making a new Road to communicate therewith. *Ibid.*
- iii. An



- iii. An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from the *Exeter* Turnpike at *Reedy Gate* in the Parish of *Dunsford*, to *Cherrybrook* in the Forest of *Dartmoore*, in the County of *Devon*. Page 800
- iv. An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from *Little Bowden*, in the County of *Northampton*, to *Rockingham*, in the said County. *Ibid.*
- v. An Act for altering and enlarging the Powers of an Act of the Seventeenth Year of His present Majesty, for building a Bridge at *Maismore*, in the County of *Gloucester*. *Ibid.*
- vi. An Act for repairing the Road from the City of *Coventry* to the *Rugby* Turnpike Road, in the Parish of *Wolvey*, in the County of *Warwick*. *Ibid.*
- vii. An Act for continuing and amending Two Acts of His present Majesty, for repairing several Roads in the County of *Glamorgan*, so far as they relate to the Roads comprized in the *Llantriffent* District. *Ibid.*
- viii. An Act for altering and enlarging the Provisions of an Act of His present Majesty, for improving the Town of *Kilmarnock*, in the County of *Ayr*. *Ibid.*
- x. An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from the City of *Norwich* to *North Walsham*, in the County of *Norfolk*. *Ibid.*
- x. An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from the City of *Norwich* to *Swaffham*, and from *Honingham* to *Taxham*, in the County of *Norfolk*, and also a Lane called *Hangman's Lane*, near the Gates of the said City. *Ibid.*
- xi. An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing and widening the Road from *Bawtry*, in the County of *York*, to *East Markham* Common, in the County of *Nottingham*, and from *Little Drayton* to *Twyford* Bridge, in the said County of *Nottingham*. 801
- xii. An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing and widening the Road from *Dunham* Ferry to the South End of *Great Markham* Common, in the County of *Nottingham*. *Ibid.*
- xiii. An Act for continuing the Term and altering and enlarging the Powers of an Act made in the Thirty second Year of His present Majesty, for making and repairing the Road from the Town of *Lanark* to the Town of *Hamilton*, in the County of *Lanark*. *Ibid.*
- xiv. An Act for inclosing Lands in the Parish of *Geist*, in the County of *Norfolk*. *Ibid.*
- xv. An Act for inclosing Lands in the Parish of *Fawley*, in the County of *Southampton*. *Ibid.*
- xvi. An Act for inclosing Lands in the Parish of *Witbam on the Hill*, with *Mantborpe*, *Toft* and *Lound*, in the County of *Lincoln*. *Ibid.*
- xvii. An Act for inclosing Lands in the Parish of *Ashbam Richard*, in the County of the City of *York*. *Ibid.*
- xviii. An Act for inclosing Lands in the Parish of *Hoburgh*, in the County of *Lincoln*. *Ibid.*
- xix. An

- xix. An Act for making and maintaining a Navigable Canal, to unite the Rivers *Wey* and *Arum*, in the Counties of *Surrey* and *Suffex*. Page 802
- xx. An Act for enlarging the Powers of an Act of His present Majesty, for supplying with Water the Towns of *Manchester* and *Salford*, in the County Palatine of *Lancaster*. Ibid.
- xxi. An Act for altering and amending Two Acts of the Seventeenth and Forty second Years of His present Majesty, for the better Relief and Employment of the Poor of the Parish of *Saint Mary Islington*, in the County of *Middlesex*; and for building a Workhouse for the said Parish. Ibid.
- xxii. An Act for making a Road from *Beach Down* near *Battle*, to *Heathfield*, and from *Robert'sbridge*, to *Hood's Corner*, all in the County of *Suffex*. Ibid.
- xxiii. An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Roads from *Market Harborough* to *Loughborough*, and from *Filling Gate* to the *Melton Mowbray* Turnpike Road, in the County of *Leicesters*. Ibid.
- xxiv. An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Roads leading from the Parishes of *Toxford*, *Saxmundham* and *Benhall*, in the County of *Suffolk*, to the Town of *Aldeburgh*, in the said County. Ibid.
- xxv. An Act for continuing and amending an Act of His present Majesty, for repairing the Roads leading from *Bowes* in the County of *Tark*, through *Barnard Castle* and *Bishop Auckland*, to join the Great North Road near *Sunderland Bridge*, in the County of *Durham*. Ibid.
- xxvi. An Act for altering and enlarging the Term and Powers of an Act, of the Forty fourth Year of His present Majesty, for repairing the Roads leading from *Tavistock* to *Old Town Gate*, in the Borough of *Plymouth*, and from *Manadon Gate* to the *Old Pound* near *Plymouth Dock*, in the County of *Devon*. 803
- xxvii. An Act for continuing and amending Five Acts passed for repairing several Roads leading from the Towns of *Hertford* and *Ware*, and other Places, in the County of *Hertford*. Ibid.
- xxviii. An Act for effecting an Exchange between the Dean and Chapter of the Cathedral Church of *Hertford*, and the Right Honourable *John Sommers Lord Sommers*, of certain Estates in the County of *Hertford*. Ibid.
- xxix. An Act for inclosing Lands in the Manor and Township of *Buglawton*, in the County of *Chester*. Ibid.
- xxx. An Act for inclosing Lands in the Parish of *Rollefsby*, in the County of *Norfolk*. Ibid.
- xxxi. An Act for inclosing Lands in the Parish of *Meltham*, in the County of *Wilts*. Ibid.
- xxxii. An Act to amend an Act of the last Session of Parliament for making and maintaining a navigable Canal from the Grand Junction Canal, in the Parish of *Paddington*, to the River *Thames* in the Parish of *Limehouse*, with a Collateral Cut in the Parish of *Saint Leonard Shoreditch*, in the County of *Middlesex*. Ibid.
- xxxiii. An Act for raising a further Sum of Money for the Improvement of the Harbour of *Leith*, and Works therewith connected. Ibid.

xxxiv. An

- xxxiv. An Act for explaining and amending an Act of His present Majesty, for constructing a Harbour at *Portbleven* in *Mount's Bay*, in the County of *Cornwall*. Page 803
- xxxv. An Act for improving the Pier and Port of *Hartlepool*, in the County of *Durham*. 804
- xxxvi. An Act to authorize the Company of Proprietors of the *West Middlesex Waterworks* to raise a further Sum of Money, for enabling them more effectually to carry on their Works. *Ibid.*
- xxxvii. An Act for enlarging the Powers of an Act of His present Majesty, for the better Relief and Employment of the Poor of the Hamlet of *Mile End New Town*, in the Parish of *Stepney*, in the County of *Middlesex*, and other Purposes; and for better collecting the Poor Rates in the said Hamlet. *Ibid.*
- xxxviii. An Act for more effectually paving, cleansing, lighting, watching and regulating certain Parts of *Piccadilly* and *Park Lane*, in the Parish of *Saint George Hanover Square*, in the County of *Middlesex*; and also the several Squares, Streets, Lanes and other public Passages and Places within the said Parish; and for altering and enlarging the Powers of an Act of the Twenty ninth Year of His present Majesty, relative to the above Purposes, and to the Poor of the said Parish. *Ibid.*
- xxxix. An Act for amending an Act passed in the Forty first Year of His present Majesty, respecting the High Roads in the County of *Selkirk*. *Ibid.*
- xl. An Act for more effectually amending, widening and keeping in Repair, the Road leading from the North End of the Turnpike Road called *The Coal Road*, near *West Auckland*, in the County of *Durham*, to the *Elfdon* Turnpike Road, at or near *Elisshaw*, in the County of *Northumberland*. *Ibid.*
- xli. An Act for more effectually repairing the Road from the *Horsehoe Corner*, in *Godmanchester*, in the County of *Huntingdon*, to the South East End of *Castle Street*, in the Town of *Cambridge*, in the County of *Cambridge*. *Ibid.*
- xlii. An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from *Burford*, in the County of *Oxford*, to *Leachlade*, in the County of *Gloucester*; and also the Road from thence through *Highbworth* to the *Cricklade* and *Swinslow* Turnpike Road, in the County of *Wilts*. *Ibid.*
- xliii. An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from the *Eaton Bridge* Turnpike Road at *Cockham Hill*, in the Parish of *West-urham*, in the County of *Kent*, to the Turnpike Road from *Croydon* to *Godstone*, in the County of *Surry*. 805
- xliii. An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from *Great Marlow*, in the County of *Buckingham*, to *Stokenchurch*, in the County of *Oxford*. *Ibid.*
- xliv. An Act for shutting up a Road and Footpath, leading from *Castleford* to *Ferrybridge*, in the County of *York*. *Ibid.*
- xlvi. An Act to continue the Term and alter the Powers of several Acts of the Thirty fourth, Thirty seventh and Forty fifth Years of His Majesty's Reign, for repairing several Roads in the Counties of *Clackmannan* and *Perth*. *Ibid.*

- xlvi. An Act for continuing and amending Two Acts of His present Majesty for repairing and widening the Road from *Lewes* to *Brighthelmston*, in the County of *Suffex*. Page 805
- xlviii. An Act for enlarging the Term and Powers of Four several Acts, passed in the Thirty first Year of the Reign of His late Majesty King *George* the Second, and in the First, Eighteenth and Thirty seventh Years of the Reign of His present Majesty, for repairing the Road from *Leeds* to *Sheffield*, in the County of *York*, so far as the same relate to the Road from *Wakefield* to *Sheffield*, and for diverting a Part of the said Road. *Ibid.*
- xlix. An Act for enabling the Prebendary of *Canlowes*, in the Cathedral Church of *Saint Paul* in *London*, to grant a Lease, with Powers of Renewal, of the Prebendal Lands of *Kentish Town*, in the County of *Middlesex*. *Ibid.*
- i. An Act for vesting Part of the Settled Estates of the Right Honourable *Philip* Earl of *Chesterfield*, in Trustees, in Trust to be sold; and for laying out the Monies arising from such Sales, in the Purchase of other Estates, to be settled to the same Uses. 806
- ii. An Act for vesting certain Estates of the Right Honourable *William Charles* Earl of *Albemarle*, at *Elveden* otherwise *Elden*, and *Bardwell*, in the County of *Suffolk*, devised by the Will of the Right Honourable *Augustus* Viscount *Keppel*, in Trustees, upon Trust to sell the same; and to apply the Money arising from the Sale thereof in the Purchase of Estates contiguous to the Family Estates of the said Earl in the County of *Norfolk*, to be settled to the subsisting Uses of the said Will of the said *Augustus* Viscount *Keppel*. *Ibid.*
- iii. An Act for vesting certain Estates belonging to the See of *Tork*, in Trustees for Sale, and for applying the Monies thence arising in the Purchase of other Estates, to be settled to the same Uses as the Estates sold. *Ibid.*
- liii. An Act for vesting certain detached Settled Estates of Sir *John Chandos Reade* Baronet, in Trustees, to be sold, for paying off Incumbrances thereon, and for purchasing other Estates to be settled to the same Uses. *Ibid.*
- liv. An Act for inclosing Lands in the Parish of *Stondeigh*, in the County of *Warwick*. *Ibid.*
- lv. An Act for inclosing Lands in the Parish of *Ashley*, in the County of *Stafford*. *Ibid.*
- lvi. An Act for inclosing Lands in *Ecchinswell*, in the County of *Southampton*. *Ibid.*
- lvii. An Act for inclosing Lands in the Parish of *Stow Bedon*, in the County of *Norfolk*. *Ibid.*
- lviii. An Act for inclosing Lands in the Manor of *Laughton*, in the County of *Suffex*. *Ibid.*
- lix. An Act for inclosing Lands in the Parish of *Hardingham*, in the County of *Norfolk*. 807
- lx. An Act for inclosing Lands in *Wrasall*, *Nailsea* and *Bourton*, in the County of *Somerset*. *Ibid.*
- lxi. An Act for inclosing Lands in the Manor of *Skelton* in *Cleveland*, in the County of *York*. *Ibid.*
- lxii. An Act for paving and otherwise improving certain Streets and other Public Passages and Places which are or shall be made upon

- upon certain Pieces of Ground belonging to His Majesty, in the several Parishes of *Saint Mary le bone* and *Saint Pancras*, in the County of *Middlesex*, called *Mary le bone Park*. Page 807
- lxiii. An Act for altering, amending and enlarging the Powers of several Acts for making and repairing certain Roads leading into the City of *Glasgow*, so far as they relate to that Part of the Road from the City of *Glasgow* to the Town of *Dumbarton*, which leads from *Yoker Bridge* to the Town of *Dumbarton*. *Ibid.*
- lxiv. An Act to continue the Term, and to continue, enlarge and amend the Powers of Two Acts of His present Majesty, for amending, widening and keeping in Repair the Roads leading from *Ludlowfach* to the Town of *Llandovery*; and from thence to the River *Amman*, in the County of *Carmarthen*, and several other Roads in the same County, communicating therewith; and for making several new Branches of Road to communicate with the said Roads. *Ibid.*
- lxv. An Act for making and maintaining a Carriage Road from *Padbrooke Bridge* in the Parish of *Cullompton*, to *Hazel Stone* in the Parish of *Broad Clift*, in the County of *Devon*. *Ibid.*
- lxvi. An Act for exchanging Part of the Settled Estates of the Right Honourable *Francis* Earl of *Moir*, situate in *England*, for Part of the Estates of the Right Honourable *Flora Mure* Countess of *Loudoun*, his Wife, situate in *Scotland*. *Ibid.*
- lxvii. An Act for inclosing Lands in *Long Ashton*, in the County of *Somerset*. 808
- lxviii. An Act for inclosing Lands within the Manor of *Rampisham* in the Parishes of *Rampisham* and *West Chelborough*, in the County of *Dorset*. *Ibid.*
- lxix. An Act for inclosing Lands in the Township of *Flint*, in the County of *Flint*. *Ibid.*
- lxx. An Act for reviving, amending and making perpetual, an Act passed in the Parliament of *Ireland*, in the Fortieth Year of the Reign of His present Majesty, for the better Regulation of the Butter Trade of the City of *Cork*, and the Liberties thereof; and for other Purposes therein mentioned. *Ibid.*
- lxxi. An Act for regulating *Covent Garden Market*. *Ibid.*
- lxxii. An Act for enlarging the Powers of an Act of His present Majesty for widening and improving *Upper East Smithfield*, in the Parish of *Saint Botolph without Aldgate*, in the County of *Middlesex*. *Ibid.*
- lxxiii. An Act for altering and amending Three Acts of the Sixth Year of *Queen Anne*, the Thirty second Year of *King George the Second*, and the Twenty sixth Year of His present Majesty, for erecting a Workhouse in the Town and Borough of *Plymouth*, in the County of *Devon*, and for setting the Poor on Work, and maintaining them there. *Ibid.*
- lxxiv. An Act for enabling *William Ogilvie* Esquire, to purchase Lands for opening sufficient Roads to and Communications with the Harbour of *Ardglasi*, in the County of *Down*. *Ibid.*
- lxxv. An Act for amending an Act of the Tenth Year of His present Majesty, for making and maintaining a Navigable Cut or Canal, and Waggon Way, from the Collieries in the Parishes of *Old and New Monkland*, to the City of *Glasgow*. 809
- lxxvi. An

- lxxvi. An Act for altering and amending an Act made in the Twenty seventh Year of His present Majesty, for confirming a Charter or Letters Patent granted by His Majesty to the Royal College and Corporation of Surgeons of the City of *Edinburgh*, and for establishing a Fund for a Provision to the Widows and Children of the Members of the said Corporation and their Clerk. Page 809
- lxxvii. An Act for erecting and maintaining a new Gaol, and other Buildings, for the County and City of *Edinburgh*. Ibid.
- lxxviii. An Act for making an equal County Rate for the County of *Oxford*. Ibid.
- lxxix. An Act for amending, enlarging and extending the Powers of Two several Acts passed in the Forty ninth and Fiftieth Years of His present Majesty, relating to the Execution of the Commission of Sewers for the Limits extending from *East Mouldsey* in *Surry*, to *Ravenborne* in *Kent*. 815
- lxxx. An Act for uniting the Interests and Concerns of the Proprietors of the *Chester* Canal and *Ellesmere* Canal; and for amending the several Acts of His present Majesty, relating to the said Canals. Ibid.
- lxxxii. An Act for enlarging the Powers of an Act of King *George* the Second, and an Act of His present Majesty, for Draining Lands in *Waterbeach Level*, in the County of *Cambridge*. Ibid.
- lxxxiii. An Act for more effectually paving, lighting, watching and improving the Town of *Margate*, in the County of *Kent*. Ibid.
- lxxxiiii. An Act for paving, cleansing, lighting, watching and otherwise improving the Streets and other public Passages and Places in *Kidderminster*, in the County of *Worcester*. Ibid.
- lxxxv. An Act for paving, lighting, watching and improving the Hamlet of *Poplar* and *Blackwall*, in the County of *Middlesex*; and for the better Relief and Maintenance of the Poor of the said Hamlet. 816
- lxxxvi. An Act for providing additional Burying Ground for the Parish of *Saint Mary Abbots Kensington*, in the County of *Middlesex*. Ibid.
- lxxxvii. An Act for building a Chapel of Ease for the Parish of *Clapham*, in the County of *Surry*. Ibid.
- lxxxviii. An Act to amend an Act, passed in the Fifty first Year of His present Majesty, for erecting a Bridge over the River *Thames*, from the City of *London* to the opposite Bank in the Parish of *Saint Saviour*, in the County of *Surry*. 816
- lxxxviiii. An Act to continue Three Acts made in the Fifteenth and Thirty first Years of the Reign of His late Majesty King *George* the Second, and in the Thirty first Year of the Reign of His present Majesty, laying a Duty of Two Pennies *Scots*, or One sixth Part of a Penny Sterling, upon every *Scots* Pint of Ale and Beer, which shall be brewed for Sale, brought into, tapped or sold within the Town of *Kirkcaldy* and Liberties thereof. 819
- lxxxix. An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from *Peterborough* to *Thorney*, in the *Isle of Ely*, in the County of *Cambridge*. 820
- xc. An Act to alter and enlarge the Powers of Three Acts 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

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 Road to *Colnbrook*, and several other Roads in the said County, so far as the same relate to the *New Districts* of Road therein described. Page 820

xc. An Act to continue the Term and enlarge the Powers of an Act of His present Majesty, for repairing the Road from *Cornhill Burn* to *Milfield March Burn*, and by *Ford Bridge* to *Lowick*, and other Roads in the said Act mentioned, in the Counties of *Northumberland* and *Durham*; and for making Two new Branches of Road to communicate therewith. Ibid.

xcii. An Act for amending the Roads and Highways in the *Isle of Wight*. Ibid.

xciii. An Act for continuing and amending Three Acts of His late and present Majesty, for repairing the Road from *Hitchin* to *Bedford*, and the Roads branching therefrom, through *Henlow* to *Gerford Bridge* and to *Arlesey*, in the Counties of *Hertford* and *Bedford*. Ibid.

xciv. An Act for enlarging the Term and Powers of an Act of His present Majesty, for more effectually repairing the Road from *Stump Cross* to *Newmarket Heath*, and other Roads therein mentioned, in the County of *Cambridge*; and for empowering the Trustees to erect a Weighing Engine near to the said Road. Ibid.

xcv. An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from *Downham Market* to the *Queen's Head*, and from the *Chequer Inn* in *Downham Market* to the *Two Mile Close*, in the Parish of *Barton*, in the County of *Norfolk*. 821

xcvi. An Act for inclosing Lands in the Parish of *Steeple Abston*, in the County of *Wills*. Ibid.

xcvii. An Act for vesting Part of the Estates, settled by the Will of *Thomas Riddell Esquire*, deceased, in Trustees, to be sold; and for applying the Money by such Sale arising, in the Discharge of Incumbrances affecting the same; and for investing the Residue of such Money in the Purchase of other Estates in the County of *Northumberland*, to be settled to the same Uses. Ibid.

xcviii. An Act for enabling the Principal and Scholars of *Brazen Nose College, Oxford*, to sell the Manor and Farm of *Gennings Court Rent*, to *Sir John Gregory Shaw*, Baronet, and to apply the Money thence arising in the Purchase of other Estates, to be settled to the same Uses. Ibid.

xcix. An Act for vesting the Settled Estates of *Robert Holden Esquire*, situate in the County of *York*, and *Narmanton*, in the County of *Nottingham*, in Trust to be sold, and for laying out the Purchase Money in other Estates, to be settled to the same Uses. Ibid.

c. An Act for vesting certain Estates in the County of *Westmorland* in *James Adam Esquire*, discharged of the Uses of the Will of the Reverend *James Barker*, deceased; and for settling other Estates in lieu thereof; and for other Purposes. Ibid.

ci. An Act for inclosing Lands in the Manor of *Thurgoland*, in the County of *York*. Ibid.

cii. An Act for inclosing Lands in the Parish *Upbill*, in the County of *Somerset*. Ibid.

ciii. An

- ciii. An Act for inclosing Lands in the Parish of *Buckden*, in the County of *Huntington*. Page 821
- civ. An Act for inclosing Lands in the Manor and Township of *Wike*, in the County of *York*. 822
- cv. An Act for repealing an Act passed in the Seventh Year of the Reign of His present Majesty, intituled *An Act for dividing and inclosing the Open Commons in the Manor of Shap, in the County of Westmorland*; and for granting other Powers for dividing, allotting and inclosing the said Lands and Grounds. *Ibid.*
- cvi. An Act for inclosing, and exonerating from Tithes, Lands in the Parish of *Stakeley*, in the County of *Huntingdon*. *Ibid.*
- cvi. An Act for inclosing Lands in the Parish of *Waterbeach*, in the County of *Cambridge*. *Ibid.*
- cviii. An Act for inclosing Lands in the Parish of *Elvetham*, in the County of *Southampton*. *Ibid.*
- cix. An Act for inclosing Lands within the Townships of *Whittington* and *Newton* with *Docker*, in the Parish of *Whittington*, in the County Palatine of *Lancaster*. *Ibid.*
- cx. An Act to provide for the Distribution, Payment and Application of certain Monies and Effects, refunded or paid, or to be refunded or paid, by or on Behalf of the Government of *Sweden*, among the Persons having Claims thereon in consequence of certain Detentions, Sequestrations and Condemnations by that Government, in the Years One thousand eight hundred and ten, One thousand eight hundred and eleven and One thousand eight hundred and twelve. *Ibid.*
- cx. An Act for the more equal Assessment of Money presented to be raised by the Grand Jury of the County of the City of *Cork*; and for a new Valuation of the said City and Survey of the Liberties thereof; and for other Purposes relative to Grand Juries. 839
- cxii. An Act for the better Relief and Employment of the Poor; and for the Enlargement of the Burial Grounds in the Parish of *Saint Leonard Shoreditch*, in the County of *Middlesex*; and for other Purposes relating to the said Parish. *Ibid.*
- cxiii. An Act for the better Relief and Maintenance of the Poor; and for making a more adequate Provision for the Rector, of the Parish of *Saint Matthew, Bethnal Green* in the County of *Middlesex*; and for more effectually lighting, watching, cleaning and improving the Streets and other public Places of and within the said Parish. *Ibid.*
- cxiv. An Act for erecting a Church in the Township of *Everton*, in the Parish of *Wakon on the Hill*, in the County of *Lancaster*. *Ibid.*
- cxv. An Act for establishing and regulating the Market, and for enlarging and improving the Market Place at *Hanley*, in the County of *Stafford*. 840
- cxvi. An Act to amend an Act, passed in the Fifty second Year of His present Majesty, intituled *An Act to enable Justices of the Peace to order Parochial Relief to Prisoners confined under Mesne Procefs for Debt, in such Gaols as are not County Gaols*, so far as regards the Parish of *Saint George the Martyr*, in the Borough of *Southwark*, in the County of *Surry* and the Parish of *Saint Bridget* otherwise *Saint Bride*, in the City of *London*. *Ibid.*
- cxvii. An Act for erecting and maintaining a new Gaol for the County and City of *Perth*; and for other Purposes relating thereto. *Ibid.*
- cxviii. An



- cxviii. An Act for paving and improving the Town of *Warrington*, in the County of *Lancaster*; and for building a New *Bridewell* in the said Town. Page 840
- cxix. An Act to enable the *Kennet and Avon Canal Company* to raise a further Sum of Money to purchase the Shares of the River *Kennet Navigation*; and to amend the several Acts passed for making the said Canal. Ibid.
- cx. An Act for explaining and amending an Act of His present Majesty, for making a Navigable Canal from the River *Thames* or *Isis*, near *Abingdon* in the County of *Berks*, to join the *Kennet* and *Avon Canal*, near *Trowbridge* in the County of *Wilts*; and certain Navigable Cuts. Ibid.
- cxxi. An Act to enlarge the Powers of an Act of His present Majesty, for embanking, draining and inclosing Lands in the Parishes of *Abergele*, *Saint Asaph*, *Rhyddlan*, *Diserth* and *Meliden*, and the Franchise of *Rhyddlan*, in the Counties of *Denbigh* and *Flint*. Ibid.
- cxixii. An Act for enlarging the Powers of Two Acts of His present Majesty, for better supplying the Town and Port of *Liverpool* with Water. Ibid.
- cxixiii. An Act to amend an Act made in the Thirty fourth Year of His present Majesty for building a Bridge over the River *Slaney* at *Wexford*. 841
- cxixiv. An Act to amend an Act made in the Thirty fourth Year of His present Majesty, for building a Bridge over the River *Slaney*, at *Ferry Carrig*, in the County of *Wexford*. Ibid.
- cxixv. An Act for further improving the Communication between the County of *Edinburgh* and the County of *Fife*, by the Ferries cross the *Frisb of Forth*, between *Leith* and *Newhaven*, in the County of *Edinburgh*, and *Kinghorn* and *Bruntisland* in the County of *Fife*. Ibid.
- cxixvi. An Act for providing a Fund for Annuities for Widows of Members of the Incorporation of Bakers of the City of *Edinburgh*. Ibid.
- cxixvii. An Act for amending an Act of His present Majesty, for the better Relief and Employment of the Poor, within the Hundreds of *Colneis* and *Carlford*, in the County of *Suffolk*. Ibid.
- cxixviii. An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from *Cherrill*, through *Calne*, to *Studley Bridge*, and other Roads therein mentioned, in the County of *Wilts*. Ibid.
- cxixix. An Act for continuing and amending Three Acts, for repairing the Road from the City of *Durham* to *Tyne Bridge* in the County of *Durham*. Ibid.
- cxxxx. An Act to continue and amend Two Acts of the Ninth and Thirtieth Years of His present Majesty, for amending the Road from *Bishopgate Bridge*, in the City of *Norwich*, to a Stone formerly called the *Two Mile Stone*, where the *Norwich Road* joins the *Caisler Causeway*, Two Miles and a Half short of the Town of *Great Yarmouth*. Ibid.
- cxxxi. An Act for amending the Road from *EarPs Kill*, in *Warrington*, to the Toll Bars in *Wallgate*, in *Wigan*, in the County of *Lancaster*. 842
- cxxxii. An Act for enlarging the Term and Powers of an Act of King *George* the Second, and an Act of His present Majesty, for repairing

- repairing the Road from *Shrewsbury* to *Wrenham*, and several other Roads in the Counties of *Devon*, *Cheshire* and *Flint*, so far as relates to the Road in the County of *Flint*, called *The Mold District*. Page 842
- cxxxiii. An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from the *Neat Enstone* and *Chipping Norton* Turnpike Road, through *Bicester* to *Weston on the Green*, in the County of *Oxford*, and for making a new Branch of Road to communicate therewith. Ibid.
- cxxxiv. An Act for continuing the Term and enlarging the Powers of an Act passed in the Thirty fourth Year of the Reign of His present Majesty, for amending and improving the Road leading from the Town of *Rochdale*, to a Place called *Edensfield*, in the Parish of *Bury*, in the County of *Lancaster*. Ibid.
- cxxxv. An Act for continuing and amending Two Acts of His present Majesty, for repairing the Road from *Shelton* to *Blakely Lane Head* and from *Bucknall* to *Weston Coyney*, in the County of *Stafford*; and also for altering and repairing the Road from *Adderley Green* to *Lane End*, in the same County. Ibid.
- cxxxvi. An Act to amend and enlarge the Powers of an Act passed in the Forty fifth Year of His present Majesty, for assenting the Proprietors of Lands in the County of *Ross*, towards the Expence of making and supporting certain Roads and Bridges therein; and of an Act passed in the Forty seventh Year of His present Majesty, for regulating and converting the Statute Labour in the Counties of *Ross* and *Cromarty*, and Part of the County of *Nairn*, locally situated in the County of *Ross*; and of an Act passed in the Fiftieth Year of His present Majesty, for amending and enlarging the Powers of the Two first mentioned Acts. Ibid.
- cxxxvii. An Act for enlarging the Powers of an Act of His present Majesty, for repairing the Roads from *Maidenhead Bridge* to *Reading*, and from the said Bridge to *Henley Bridge* in the County of *Berks*, so far as relates to the *Third District* of the said Roads. 843
- cxxxviii. An Act for vesting certain Estates devised by the Will of Sir *Edward Lloyd* Baronet, deceased, in Trustees, to be sold, and for laying out the Money to arise by such Sale in the Purchase of other Estates, to be settled under the Direction of the Court of Chancery to the same Uses. Ibid.
- cxxxix. An Act for effectuating an Exchange of Lands belonging to the Bishoprick of *Worcester* for Lands belonging to the Dean and Chapter of *Worcester*, in the County of *Worcester*. Ibid.
- cxl. An Act for effecting the Sale of certain Parts of the Estates devised by the Will of *Henry Partridge* Esquire, deceased; and for laying out the Money arising by such Sales, together with the clear Money produced by the Sale of certain other Parts of the said Estates, directed to be sold by an Act passed in the Forty ninth Year of the Reign of His present Majesty, in the Purchase of other Estates, and for settling the same to the like Uses. Ibid.
- cxli. An Act for inclosing Lands in *Dundraw*, in the County of *Cumberland*. Ibid.
- cxlii. An Act for inclosing Lands in the Township of *Feltwell*, in the County of *Norfolk*. Ibid.
- cxliii. An

- cxliii. An Act for inclosing Lands in the Parish of *Clirrow*, in the County of *Radnor*, and extinguishing Vicarial Tithes in the said Parish. Page 843
- cxliv. An Act for inclosing Lands in the Manor and Parish of *Turwesson*, in the County of *Buckingham*. Ibid.
- cxlv. An Act for inclosing Lands in the Parish of *Whitwell*, in the County of *Derby*. 844
- cxlvi. An Act for inclosing Lands in the Manor and Parish of *Whitsey*, in the County of *Hereford*. Ibid.
- cxlvii. An Act for inclosing Lands in the Township of *Stockton*, in the County of *York*. Ibid.
- cxlviii. An Act for inclosing Lands in the Parish of *Downton*, in the County of *Wilts*. Ibid.
- cxlix. An Act for inclosing Lands in *Llandyrnog* and *Llangwyfan*, in the County of *Denbigh*. Ibid.
- cl. An Act for inclosing Lands in the Parish of *Casob*, and Townships of *Edmol* and *Kinnerton*, in the County of *Radnor*. Ibid.
- cli. An Act for inclosing Lands in the Township of *Aughton* in the Parish of *Aughton*, in the County Palatine of *Lancaster*. Ibid.
- clii. An Act for amending an Act of His present Majesty for inclosing Lands in the Parish of *Milborne Port*, in the County of *Somerset*; and for transferring Borough Rights from certain Lands in the same Parish to other Lands therein, the better to effectuate such Inclosure. Ibid.
- cliii. An Act for inclosing Lands in the Manor and Township of *Kirkburton*, in the County of *York*. Ibid.
- cliv. An Act for inclosing Lands in the Township of *Spalford* and *Wigsley*, in the County of *Nottingham*. Ibid.
- clv. An Act to enable the Company of Proprietors of the *South London Water Works* to raise a further Sum of Money, and to alter and amend the Powers of an Act passed in the Forty-fifth Year of His present Majesty, for making the said Water Works. 845
- clvi. An Act to authorize the Advancement of a certain Sum of Money for carrying into Effect the several Acts for the Improvement of the Port and Town of *Liverpool*, and to amend the said Acts. Ibid.
- clvii. An Act for further improving the Harbour of *Aberdeen*. Ibid.
- clviii. An Act for the further Improvement of the Harbour of *Wexford*. Ibid.
- clix. An Act for inclosing, draining and exonerating from Tithes, Lands in the Lordship of *North Kelsey*, in the County of *Lincoln*. Ibid.
- clx. An Act for enlarging the Powers of Two Acts of His present Majesty, for embanking and draining certain Low Lands and Grounds in the Parishes or Townships of *Everton*, *Scaftworth*, *Grisgley on the Hill*, *Misferton* and *Walkeringham*, in the County of *Nottingham*. Ibid.
- clxi. An Act for the more effectually draining and improving Lands within the Level of *Hatfield Chase*, and Parts adjacent, in the Counties of *York*, *Lincoln* and *Nottingham*. Ibid.
- clxii. An Act for better assessing and collecting the Poor and other Rates, in the Parish of *Saint Giles Camberwell*, in the County of *Surry*, and regulating the Affairs thereof; for repairing or rebuilding

- building the Parish Workhouse, and purchasing Ground for a Cemetery; and for other Purposes relating thereto. *Page 846*
- clxiii. An Act for altering and amending Two several Acts of the Thirty fifth and Forty sixth Years of the Reign of His present Majesty, for paving and improving the Parish of *Saint Mary le Bone*, in the County of *Middlesex*. *Ibid.*
- clxiv. An Act for paving, widening, cleansing, watching, lighting and regulating the Streets and other Public Places within the Borough of *Chepping Wycombe*, in the County of *Bucks*, and for removing and preventing Nuisances and Obstructions therein. *Ibid.*
- clxv. An Act for altering and amending several Acts for repairing the Road from *Saint Giles's Pound* to *Kilbourn Bridge*; and for making a new Road from the Great Northern Road at *Islington*, to the *Edgeware Road* near *Paddington*, in the County of *Middlesex*. *Ibid.*
- clxvi. An Act for vesting Part of the settled Estates of Sir *Charles Knightley* Baronet, which were devised by the Will of *Lucy Knightley* Esquire, in Trustees, to be sold; and for laying out the Money arising thereby, in the Purchase of other Estates, to be settled in lieu thereof and to the same Uses; and for other Purposes. *Ibid.*
- clxvii. An Act for vesting certain detached settled Estates late of *William Whitaker* Esquire, deceased, in Trustees, to sell the same; and to lay out the Monies thence arising, in the Purchase of other Estates, to be settled to the same Uses. *Ibid.*
- clxviii. An Act for repealing so much of Two several Acts, passed in the Twenty third Year of the Reign of His late Majesty King *George* the Second, and the Thirty second Year of the Reign of His present Majesty, as are contrary to the Provisions contained in the Will of *Charles Churchill* Esquire, deceased, or the Settlement made on the Marriage of *Charles Churchill* Esquire with the Lady *Maria Walpole*. *Ibid.*
- clxix. An Act for vesting certain Estates devised by the Will of *James Harrison* Esquire, situate in the Counties of *Lancaster* and *Chester*, or one of them, in Trustees, to be sold pursuant to an Agreement entered into for that Purpose. *847*
- clxx. An Act for vesting Part of the settled Estates of *Thomas John Phillips*, of *Newport House* in the County of *Cornwall*, Esquire, an Infant, in Trustees, to be sold; and for investing the clear Monies thence arising, under the Direction of the High Court of Chancery, in the Purchase of other Estates, to be settled in lieu thereof, and to the same Uses. *Ibid.*
- clxxi. An Act for vesting Part of the settled Estates of *Edward William Leyborne Popham* Esquire, in the Counties of *Wilts* and *Berks*, in Trustees, to be sold; and for investing the clear Monies thence arising, under the Direction of the High Court of Chancery, in the Purchase of other Estates to be settled in lieu thereof, and to the same Uses. *Ibid.*
- clxxii. An Act for inclosing Lands in the Manor of *East Bedfont* with *Hatton*, in the Parish of *East Bedfont*, in the County of *Middlesex*. *Ibid.*
- clxxiii. An Act for inclosing Lands within the Township of *Undermilbeck*, in the Parishes of *Windermerc* and *Kirkby in Kendal*, in the County of *Westmoreland*. *Ibid.*
- clxxiv. An

- clxxiv. An Act for inclosing Lands in the Parishes of *Iffeworth*, *Hoson* and *Twickenham*, in the Manor of *Iffeworth Syon*, in the County of *Middlesex*. Page 847
- clxxv. An Act for inclosing Lands in *Burghwallis*, in the County of *York*. *Ibid.*
- clxxvi. An Act for inclosing Lands in the several Parishes of *Calne*, *Calstone*, *Wellington* and *Blackland*, in the County of *Wilts*. *Ibid.*
- clxxvii. An Act for inclosing Lands in the Townships of *Crowle*, *Eastoft* and *Ealand*, in the Parish of *Crowle*, in the County of *Lincoln*, and extending into the West Riding of the County of *York*. 848
- clxxviii. An Act for inclosing Lands in the Parish of *Winterbourne Monckton*, in the County of *Wilts*. *Ibid.*
- clxxix. An Act for securing to *James Lee*, and the Public, the Benefit of his Invention of certain new Methods of preparing Hemp and Flax, by enabling him to lodge the Specification under certain Restrictions. *Ibid.*
- clxxx. An Act for erecting a new Gaol, House of Correction, and Penitentiary House, in the Borough of *Tewkesbury*, in the County of *Gloucester*. *Ibid.*
- clxxxi. An Act for altering and amending an Act made in the Twenty third Year of the Reign of His present Majesty, for making and maintaining the *Thames* and *Severn Canal* Navigation. *Ibid.*
- clxxxii. An Act for making and maintaining a Navigable Canal, from the *Wilts* and *Berks Canal*, in the Parish of *Swindon*, in the County of *Wilts*, to communicate with the *Thames* and *Severn Canal* in the Parish of *Latton*, in the same County. *Ibid.*
- clxxxiii. An Act for the Improvement of the Navigation of the Rivers *Bury*, *Loughor* and *Lluedi*, in the Counties of *Carmarthen* and *Glamorgan*. *Ibid.*
- clxxxiv. An Act for altering, enlarging and extending the Powers of an Act of His present Majesty, for building a Bridge over the River *Thames*, at the Precinct of the *Savoy*, or near thereunto; and making Roads and Avenues to communicate therewith, in the Counties of *Middlesex* and *Surry*. *Ibid.*
- clxxxv. An Act for inclosing, lighting and improving *Fitzwilliam Square*, in the County of the City of *Dublin*. 860
- clxxxvi. An Act for repairing and improving several Roads in the Counties of *Montgomery*, *Merioneth* and *Salop*; and other Roads therein mentioned. *Ibid.*
- clxxxvii. An Act for enlarging the Term and Powers of an Act of King *George* the Second, and Two Acts of His present Majesty, for repairing the Road from *Bowes*, in the County of *York*, to *Brough under Stainmore*, in the County of *Westmorland*; and for repairing and widening the Road from *Maiden Castle* to *Kober Croft*, and other Roads therein mentioned, in the said Counties. 861
- clxxxviii. An Act for enlarging the Term and Powers of an Act of King *George* the Second, and Two Acts of His present Majesty, for amending the Road from *Maidstone*, in the County of *Kent*, to *Tubb's Lake*, in the Parish of *Cranbrook*, in the said County. *Ibid.*
- clxxxix. An Act for enabling the Right Honourable *William* Earl of *Dartmouth* to grant building Leases of his settled Estates, situate in the Counties of *York*, *Kent* and *Middlesex*. *Ibid.*

- cx. An Act for enabling the Honourable and Reverend *Gerald Valerian Wellefley*, Doct<sup>r</sup> in Divinity, and the Reverend *Richard Hodges* to grant Building Leases of several undivided Shares in a Piece of Land, called *Chelfea Common*, in the Parish of *Saint Luke, Chelfea*, in the County of *Middlesex*, pursuant to an Agreement entered into for that Purpose. Page 861
- cxci. An Act to enable the Vicar of the Parish and Parish Church of *Camberwell*, in the County of *Surry*, to grant Leases of the Glebe belonging to the said Vicarage. *Ibid.*
- cxcii. An Act for vesting the Estates devised by the Will of the late *Thomas Saunders* Esquire, in Trustees, to be sold, and for applying the Monies thence arising for the Purposes and in manner therein mentioned. *Ibid.*
- cxciii. An Act for substituting and appointing a new Trustee in the Place or Stead of *Francis Lucius Austen* Esquire, for the Purposes of the Settlement made upon the Marriage of *William Jobn Campion* Esquire, with *Jane Austen* Spinster, now the Wife of the said *William Jobn Campion*; and also of the Will and Codicil of *Henry Courtbope Campion* Esquire, deceased, so far as respects the Freehold and Copyhold or Customary Estates thereby respectively devised to the Uses or upon the Trusts of the said Settlement, and for vesting the Trust Estates accordingly. *Ibid.*
- cxciv. An Act for vesting Part of the Estates devised by the Will of *Thomas Duncombe* Esquire, and other Lands settled to the same Uses, in Trustees, to be sold, and for laying out the Money to arise from the Sale thereof in the Purchase of other Estates, to be settled in lieu thereof to the same Uses. 862
- cxcv. An Act for exchanging the Lands of *Brabsterdorrان*, and other Heritages belonging to *Hewrietta Sinclair*, as Heir under an Entail, made by *David Sinclair* of *Southdun*, deceased, for other Lands and Heritages belonging to her in Fee Simple; and for vesting the said Lands of *Brabsterdorrان*, and other Heritages, in Trustees, for the Purposes therein mentioned. *Ibid.*
- cxcvi. An Act for vesting the settled Estates of *Edward Lee* Esquire and *Elizabeth* his Wife, in the Counties of *Waterford* and *Dublin* and in the County of the City of *Dublin*, in Trustees, to be sold and for laying out the Monies thence arising in the Purchase of other Estates to be settled to the same Uses as the Estates so sold. *Ibid.*
- cxcvii. An Act for vesting certain Estates devised by the Will of *Thomas Holt* Esquire, in the County of *Suffolk*, in Trust for Sale; and for laying out the Monies thence arising in the Purchase of other Estates, to be settled to the same Uses. *Ibid.*
- cxcviii. An Act for inclosing Lands in the Parish of *Witington*, in the County of *Gloucester*. *Ibid.*
- cxcix. An Act for enlarging the Term of Two Acts of His present Majesty, for repairing and widening the Road from *Bicester*, in the County of *Oxford*, to *Aylesbury*, in the County of *Bucks*. *Ibid.*
- cc. An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from the Market Place in *Bicester*, in the County of *Oxford*, to the *Buckingham* Turnpike Road in *Aynho*, in the County of *Northampton*; and for extending the Powers of the said Act to an adjoining Branch of Road. *Ibid.*
- cc. An

- cc. An Act for embanking, inclosing and draining Lands in the Parish of *Wainfleet Saint Mary*, in the County of *Lincoln*. Page 863
- cc. An Act to enable the Trustees of certain Lands, demised by the Will of *William Seabright*, deceased, situate in the Township of *Bednal Green* otherwise *Bethen Hall Green*, in the Parish of *Stepney* otherwise *Stabinbeath*, in the County of *Middlesex*, to grant Building Leaves thereof. *Ibid.*
- cciii. An Act for enabling *William Hall* Esquire, to assign or surrender a Term of One thousand Years, in Estates, in the County of *Oxford*, unto or in Trust for *Elisba Biscoe* Esquire; and for other Purposes. *Ibid.*
- cciv. An Act for enabling Trustees, under the Direction of the High Court of Chancery, to grant Building Leaves of Part of the Estates of *Thomas Milner Gibson* Esquire, deceased, in *Lambeth*, in the County of *Surry*, and in *Islington*, in the County of *Middlesex*; and also under the like Direction, to raise Money by Sale or Mortgage of the same Estates, for Payment of Charges and Incumbrances thereon; and for other Purposes. *Ibid.*
- ccv. An Act for confirming the Purchase of a Term of Years in an Estate at *Knightbridge* in the County of *Middlesex*, being Part of the Settled Estates of *William Lowndes* the elder, Esquire, deceased; and for vesting Part of the said Settled Estates in Trustees, to be sold, and for laying out the clear Monies thence arising, under the Direction of the High Court of Chancery, in the Purchase of other Estates to be settled in lieu of the Estates sold, and to the same Uses; and to enable Trustees to grant Building Leaves of Part of the said Settled Estates; and for other Purposes. *Ibid.*
- ccvi. An Act to enable *The Hope Assurance Company* to sue and be sued; to grant Annuities, and to enrol Memorials thereof, under certain Regulations. *Ibid.*
- ccvii. An Act to enable *The Eagle Insurance Company* to sue and be sued in the Name of their Secretary or any Member thereof; and to enrol Annuities. 864
- ccviii. An Act for amending the Roads from *Hodges* to *Beadles Hill* and *Cuckfield*, and from *Beadles Hill* to *Lindfield*, and from the *Cuckfield* and *Crawley* Road to *Horfbam*, and from *Sewingate* to *Shover Green*, all in the County of *Suffex*. *Ibid.*
- ccix. An Act for enabling the Archbishop of *Canterbury* to convey certain Tenements at *Deal*, in the County of *Kent*, to or in Trust for His Majesty, for the Public Service. *Ibid.*
- ccx. An Act for vesting certain Estates devised by the Right Honourable *John Viscount Bateman*, deceased, in Trustees, to be sold, and for laying out the Monies arising therefrom, under the Direction of the High Court of Chancery, in the Purchase of other Estates to be settled to the same Uses. 877
- ccxi. An Act to enable *The Marine Insurance Company of Dublin* to sue and be sued in the Name of their Secretary or Secretaries. *Ibid.*
- ccxii. An Act to enable *The Phoenix Assurance Company of London* to sue and be sued in the Name of their Secretary or any Member. *Ibid.*
- ccxiii. An Act for altering the Rules, Statutes and Ordinances of the Hospital of *Robert Earl of Leicester*, in *Warwick*; and for enabling the Master and Brethren of the said Hospital to raise Money

- Money on the Security of the Estates thereof, in order to provide for the Reception of additional Brethren therein. Page 877
- ccxiv. An Act for extending and amending an Act of Queen Anne, for making the River *Cham* more navigable from *Claybith Ferry* to the *Queen's Mill*, in the County of *Cambridge*. Ibid.
- ccxv. An Act to enable *The Norwich Union Society for the Insurance of Lives and Survivorships* to sue in the Name of their Secretary, and to be sued in the Names of their Directors, Treasurers and Secretary. Ibid.
- ccxvi. An Act to enable *The Norwich Union Society for Insurance against Loss by Fire* to sue in the Name of their Secretary, and to be sued in the Names of their Directors, Treasurers and Secretary. Ibid.

## LOCAL AND PERSONAL ACTS

## NOT PRINTED.

1. AN Act for inclosing Lands in the Parish of *Cotterstock cum Glapthorn*, in the County of *Northampton*.  
[And for making Compensation for Tithes.]
2. An Act for inclosing Lands in the Parish of *Greystoke*, in the County of *Cumberland*.
3. An Act for inclosing Lands in the Parish of *Marston Trussell*, in the County of *Northampton*.
4. An Act for inclosing Lands in the Parish of *Eastnor*, in the County of *Hereford*.  
[And for making Compensation for Tithes.]
5. An Act for inclosing Lands in the Parish of *Greenford*, in the County of *Middlesex*.  
[And for making Compensation for Tithes.]
6. An Act for inclosing Lands in the Parish of *Hanwell*, in the County of *Middlesex*.  
[And for making Compensation for Tithes.]
7. An Act for inclosing Lands in the Parish of *Hornsey*, in the County of *Middlesex*.  
[And for making Compensation for Tithes.]
8. An Act for naturalizing *Jobas Diederich Windeler*.
9. An Act for inclosing, and exonerating from Tithes, Lands in the Parish of *Swinbrooke*, in the County of *Oxford*.
10. An Act for inclosing Lands in the Parish of *Clebonger*, in the County of *Hereford*.
11. An Act for inclosing Lands in the Parish of *Great Stanmore*, in the County of *Middlesex*.
12. An Act for inclosing Lands in the Parish of *North Piddle*, in the County of *Worcester*.  
[And for making Compensation for Tithes.]
13. An Act to explain and amend an Act (a) of His present Majesty, for inclosing Lands within the Lordship and Township of *Warter*, in the East Riding of the County of *York*.  
(a) [34 G. 3. c. 3. P.R.]



14. An Act for inclosing Lands in the Manors of *Sockbridge, Tawwath* and *Eamont Bridge*, in the Parish of *Barton*, in the County of *Westmorland*.
15. An Act for inclosing Lands in the Parish of *Little Shelford*, in the County of *Cambridge*.  
[And for making Compensation for Tithes.]
16. An Act for inclosing Lands in the Parish of *Salwarp*, in the County of *Worcester*.  
[And for making Compensation for Tithes.]
17. An Act for inclosing Lands called *Upton Common*, in the Township or Manor of *Upton*, in the Parish of *Idfall* otherwise *Shiffnal*, in the County of *Salop*.
18. An Act for vesting the Messuages and Hereditaments settled on the Marriage of *Henry Burnet Esquire*, and *Mary his Wife*, in Trustees, upon Trust, to convey the same to *Henry James Brooke Esquire*, his Heirs and Assigns, pursuant to Articles of Agreement made for the Sale thereof, and for laying out the Money to arise by such Sale in the Purchase of other Estates, and for settling the same to the former Uses.
19. An Act for vesting the undivided Fourth Part of *Edward Webb* and *Elizabeth Frances Webb*, an Infant, in Estates in the Counties of *Buckingham, Middlesex* and *Oxford*, in Trust, to be sold, and for laying out the Monies thence arising in the Purchase of other Estates, to be settled to the same Uses as the Estates sold.
20. An Act for inclosing Lands in the Manor of *Townhill* otherwise *Shamblebarsh*, in the Parish of *South Stoneham*, in the County of *Southampton*.
21. An Act for inclosing Lands within the Parishes of *Seething, Kirkstead, Mundham* and *Sisland*, in the County of *Norfolk*.
22. An Act for inclosing Lands in the Parish of *Wrampingham*, in the County of *Norfolk*.
23. An Act for inclosing Lands in the Parish of *Croston*, in the County of *Norfolk*.
24. An Act for inclosing Lands in the Township of *High and Low Kilburn*, in the Parish of *Kilburn*, in the County of *York*.  
[This Act has the Evidence Clause annexed to it.]
25. An Act for inclosing certain Land called *Lalcham Burway*, in the Parish of *Lalcham*, in the County of *Middlesex*, or in the Parish of *Chertsey*, in the County of *Surry*, or one of them.
26. An Act for inclosing Lands within the several Manors of *Warmingbarsh, Afsington* and *Chanhton*, in the County of *Suffex*.
27. An Act for inclosing Lands in the Manor and Parish of *Barham*, in the County of *Suffex*.
28. An Act for inclosing Lands in the Parish of *Farlington*, in the County of *York*.  
[And for making Compensation for Tithes.]
29. An Act for dividing Lands in the Township of *Icklingham*, in the County of *Suffolk*.
30. An Act for dividing the Commons and Waste Grounds within the Parish of *Whepstead*, in the County of *Suffolk*.
31. An Act for inclosing Lands in the Parish of *Chudleigh*, in the County of *Devon*.

32. An

32. An Act for inclosing Lands in the Parishes of *Bluntybam with Earith and Colne*, in the County of *Huntingdon*.
33. An Act for vesting certain Parts of the Lands and Hereditaments comprized in the Deeds of Entail made by *Thomas Viscount of Tviot* and others, and now, by virtue thereof, in the Possession of *Robert Walter Lord Blantyre*, in Trustees, in Trust, to sell the same, and invest the Money arising by such Sale in the Purchase of other Lands or Hereditaments, to be settled and secured to the same Series of Heirs, and under the same Conditions and Limitations as are contained in the said Deeds of Entail.
34. An Act for settling and securing the Lands and Estate of *Kinninmouth, or Kinmount*; and others, in the County of *Dumfries*, to and in favour of *Charles Marquis of Queensberry*, and the Series of Heirs entitled to take by a certain Deed of Entail made by *Charles Duke of Queensberry and Dover*, deceased, and under the Conditions and Limitations contained in the said Deed; and for vesting in lieu thereof the Barony and Estate of *Craigs*, and certain Parts of the Lands of *Tinwall, Burnskairth and Dargavel or Lochermoss*, in the said County, in the said *Charles Marquis of Queensberry*, and his Heirs and Assigns in Fee Simple.
35. An Act for vesting certain Farms, Lands and Hereditaments, situate in the County of *Essex*, the settled Estates of *Harvey Kimpton Esquire*, in Trustees, upon Trust to sell, and for laying out the Monies arising from such Sales in the Purchase of other Estates; and for other Purposes therein mentioned.
36. An Act for inclosing Lands in the Parish of *Ledbury*, in the County of *Hereford*.
37. An Act for inclosing Lands in the Parish of *Flysford Flavell*, in the County of *Worcester*.  
[*And for making Compensation for Tithes.*]
38. An Act for inclosing Lands in the Parish of *Great Horkeley*, and in the Manor of *Rivers Hall in Bontead*, in the County of *Essex*.
39. An Act for inclosing Lands in the Manor of *Knowle*, in the several Parishes of *Solibull and Hampton in Arden*, in the County of *Warwick*.
40. An Act for inclosing Lands in the Parish of *Great Rislington*, in the County of *Gloucester*.  
[*And for making Compensation for Tithes.*]
41. An Act for inclosing Lands in the Parish of *Cwmroy*, and Chapelry of *Llanthony*, in the County of *Monmouth*.
42. An Act for inclosing Lands within the Township of *Ebrington* and the Hamlet of *Hitcoat* otherwise *Hitcott*, in the County of *Gloucester*.  
[*And for making Compensation for Tithes. No Lease of Vicar of Ebrington's Allotment without Consent of The King as Patron of the said Vicarage.*]
43. An Act for amending and rendering more effectual an Act of the Fiftieth Year (a) of His present Majesty, for inclosing Lands in the Manor of *Amberly*, in the County of *Suffex*.  
[*And for making Compensation for Tithes.*]  
(a) [50 G. 3. c. 35. PR.]
44. An Act for inclosing Lands in the Parish of *Much Cowarn*, in the County of *Hereford*.

45. An Act for inclosing Lands within the Township of *Fairburn*, in the West Riding of the County of *York*.  
[*Allotment to His Majesty. Plan of His Majesty's Allotment sent to Clerk of Duchy of Lancaster.*]
46. An Act for inclosing Lands in the Parish of *Morley* otherwise the Parishes of *Morley Saint Buttolph* and *Morley Saint Peter*, in the County of *Norfolk*.
47. An Act for inclosing Lands in the Parish of *Woodton*, in the County of *Norfolk*.
48. An Act for inclosing Lands in the Parish of *Priors Dutton*, in the County of *Salop*.  
[*And for making Compensation for Tithes.*]
49. An Act for inclosing Lands in the Parishes of *Chevington* and *Chedburgh*, in the County of *Suffolk*.
50. An Act for inclosing Lands in the Parishes of *Great Horningsbeath* otherwise *Horningsberth* and *Wesley*, in the County of *Suffolk*.
51. An Act for inclosing Lands in the Township of *Brigham*, in the Manor of *Five Towns* with *Eaglesfield*, in the County of *Cumberland*.  
[*And for making Compensation for Tithes.*]
52. An Act for inclosing Lands in the Borough and Township of *Cockermouth*, in the County of *Cumberland*.
53. An Act for inclosing Lands in the Townships of *Setmurthy* and *Embleton*, in the Manor of *Derwentfells*, in the County of *Cumberland*.
54. An Act for inclosing certain Waste Lands within the Parish of *Saint John*, in the County of *Cumberland*.
55. An Act to dissolve the Marriage of *Henry Chamberlain* Esquire with *Eliza* otherwise *Elizabeth Chamberlain*, his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.
56. An Act for vesting certain Parts of the Lands and Hereditaments comprized in a Deed of Entail made by *Archibald Campbell*, late of *Sbirroan*, deceased, in Trustees, to sell the same, and invest the Money arising by such Sale in the Purchase of other Lands or Hereditaments, to be settled and secured to the same Series of Heirs, and under the same Conditions and Limitations as are contained in the said Deed of Entail.
57. An Act for carrying into Effect a certain Agreement made between the Reverend Doctor *David Johnston*, Minister of the Parish of *North Leith*, and the Reverend Doctor *Walter Fozgo Ireland*, ordained and appointed Assistant and Successor to the said Doctor *David Johnston*, in the said Parish of *North Leith*, and the Kirk Session thereof, with the Consent of the Presbytery of *Edinburgh*, and *John Campbell*, Writer to His Majesty's Signet.
58. An Act for enabling the Administrators of *George Turner*, deceased, to complete a Contract made by him for the Sale of Part of his Fee Simple Estates.
59. An Act for inclosing, and exonerating from Tithes, Lands in the Parish of *Rougham*, in the County of *Suffolk*.
60. An Act for inclosing Lands in the Parish of *Stretton Grandson* and Township of *Egleton*, in the Parish of *Bishops Froome*, in the County of *Heresford*.  
[*And for making Compensation for Tithes.*]

61. An Act for inclosing Lands in *Upper Elkstone*, in the County of *Stafford*.
62. An Act for inclosing Lands in the Manor of *Bostead Hall*, in the County of *Essex*.
63. An Act for inclosing Lands in the Parish of *Kennet*, in the County of *Cambridge*.
64. An Act for inclosing Lands in the Parish of *Wood Ditton* in the County of *Cambridge*.  
[*And for making Compensation for Tithes.*]
65. An Act for inclosing Lands in the Parish of *Eastrington*, in the County of *York*.  
[*And for making Compensation for Tithes. No Lease of Vicar's Allotment without consent of His Majesty as Patron of the said Vicarage.*]
66. An Act for inclosing Lands in the Parish of *Tajburgh*, in the County of *Norfolk*.
67. An Act for inclosing Lands in the Parish of *Saint Mary*, in *Newmarket*, in the County of *Suffolk*.  
[*And for making Compensation for Tithes.*]
68. An Act to enable the Reverend *Benjamin Sandford* to take the Name and bear the Arms of *Winston*, pursuant to the Will of *Charles Winston*, deceased.
69. An Act for empowering the Judges of the Court of Session in *Scotland* to sell such Parts and Portions of the entailed Estates of *Gleneagles*, *Haldane* and *Aberuthven*, situated in the Counties of *Perth*, *Stirling* and *Dunbarton*, which belonged to, and were entailed by *Robert Haldane*, of *Gleneagles*, deceased, as shall be sufficient for Payment of the Debts of the said *Robert Haldane* still owing, and which affect or may be made to affect the said entailed Estates.
70. An Act for settling and securing the Lands and Estate of *West Boreland*, and others, in the County of *Stirling*, to and in favour of *William Morehead* Esquire, and the Series of Heirs entitled to take, by a certain Deed of Entail made by *William Morehead* Esquire, deceased, under the Conditions and Limitations in the said Deed, and for vesting, in lieu thereof, certain Parts of the Lands and Barony of *Herbertsbire*, in the said County, in certain Trustees nominated by the said *William Morehead*, deceased, for the Purposes of the Trust, and for empowering the Court of Session in *Scotland* to sell certain Parts and Portions of the said Entailed Estate of *Herbertsbire* for Payment of the Debts contracted by the said *William Morehead*, deceased.
71. An Act for inclosing Lands in the several Parishes of *Llanfihangel Generglyn* and *Llanganfelin*, in the County of *Cardigan*.
72. An Act for inclosing Lands in the Parish of *Westmill*, in the County of *Heriford*.
73. An Act for inclosing Lands in the Parish of *Longstanton Saint Michael*, in the County of *Cambridge*.
74. An Act for inclosing Lands in the Parish of *Little Gransden*, in the County of *Cambridge*.  
[*And for making Compensation for Tithes.*]

75. An Act for dividing and inclosing certain Tracts or Parcels of Moor, Common or Waste Grounds within and Parcel of the Manor of *East Teignmouth*, in the County of *Devon*.
76. An Act for inclosing Lands in the Parish of *Meldreth*, and for allotting Lands in the Parishes of *Melbourn* and *Whaddon*, in the County of *Cambridge*.  
[*And for making Compensation for Tithes.*]
77. An Act for inclosing Lands in the Parish of *Frampton upon Severn*, in the County of *Gloucester*, and in the Parish of *Slimbridge*, in the said County.  
[*And for making Compensation for Tithes.*]
78. An Act to enable *John Fleming Barton Willis* Esquire, and his Issue, to take the Name of *Fleming*, and bear the Arms of the *Fleming* Family, pursuant to the Will of *John Fleming* Esquire, deceased.
79. An Act for vesting a Leasehold Messuage in *Curzon Street*, in the County of *Middlesex*, and other Effects, settled by the Will of *Dame Harriott Reade*, deceased, in Trustees, to be sold, and to lay out the Money thence arising in the Purchase of other Estates, to be settled in like manner.
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THE  
STATUTES AT LARGE.

Anno Regni GEORGIÏ III. Britanniarum Regis,  
Quinquagesimo Tertio.

AT the Parliament begun and holden at *Westminster*, the Twenty fourth Day of *November*, Anno Domini 1812; in the Fifty third Year of the Reign of our Sovereign Lord GEORGE the Third, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith; being the First Session of the Fifth Parliament of the United Kingdom of Great Britain and Ireland.

C A P. I.

AN Act to continue, until the First Day of *October* One thousand eight hundred and thirteen, an Act of the last Session of Parliament, for allowing the Use of Sugar in Brewing Beer in Great Britain. [16th December 1812.]

WHEREAS an Act was passed in the last Session of Parliament, intituled *An Act to allow the Use of Sugar in Brewing Beer in Great Britain*, which was to continue in force until the First Day of *November* One thousand eight hundred and twelve: And whereas, in pursuance of the Power given by the said Act, His Majesty has been pleased by His Royal Proclamation, bearing Date the Twenty sixth Day of *October* One thousand eight hundred and twelve, to permit the Use of Brown and Muscovado Sugar in the Brewing of Beer until Forty Days after the then next Meeting of Parliament; And whereas it is expedient that the said Act should be continued; 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 shall be and the same is hereby continued until the First Day of *October* One thousand eight hundred and thirteen.

It is And be it further enacted, That in case His Majesty at any time after the First Day of *October*, in the Year One thousand eight hundred and thirteen, shall in His Royal Discretion judge it to be for the Benefit and Advantage of His Kingdom to permit Common Brewers or Retailers of Beer or Ale to make use of Brown or Muscovado Sugar in the brewing or making of Beer, Ale or Worts, then and in such case 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, to be published from time to time in the *London Gazette*, to permit and suffer all Common Brewers

and Retailers of Beer, Ale or Worts, in Great Britain (but not any particular Common Brewers or Retailers of Beer, Ale or Worts), at any time or times not less than Thirty Days from the Date of such Proclamation or Order in Council, to make use of Brown or Muscovado Sugar in the brewing or making of Beer, Ale or Worts, until Forty Days after the then next Meeting of Parliament, under, subject and according to the Rules, Regulations, Restrictions and Provisions, Fines, Penalties and Forfeitures, contained and provided in and by the said recited Act.

Act altered, &c.

III. And be it further enacted, That this Act may be altered, varied or repealed, by any Act to be made in this Session of Parliament.

### C A P. II.

An Act to continue, until the First Day of *October* One thousand eight hundred and thirteen, and amend an Act of the last Session of Parliament for prohibiting the making of Starch, Hair Powder and Blue, from Wheat and other Articles of Food; and for suspending Part of the Duties now payable on the Importation into *Great Britain* of Starch.

[16th December 1812.]

52 G. 3. c. 127.

WHEREAS an Act was passed in the last Session of Parliament, intituled *An Act to prohibit, until the First Day of November One thousand eight hundred and twelve, the making of Starch, Hair Powder and Blue, from Wheat and other Articles of Food; and for suspending Part of the Duties now payable on the Importation into Great Britain of Starch*: And whereas, in pursuance of the Power given by the said Act, His Majesty has been pleased by His Royal Proclamation bearing Date the Twenty sixth Day of *October* One thousand eight hundred and twelve, to prohibit the making of Starch from Wheat, Barley, Rice, Grain, Potatoes, Flour, Meal, or any other Article or Thing used for the Food of Man, until Forty Days after the then next Meeting of Parliament: And whereas it is expedient that the said Act should be continued and amended; 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 shall be and the same is hereby continued until the First Day of *October* One thousand eight hundred and thirteen.

Proclamation.

52 G. 3. c. 127.  
continued.

Prohibition of making of Starch from Wheat, &c. further extended by Proclamation.

II. Provided always, and be it enacted, That in case His Majesty at any time after the First Day of *October* One thousand eight hundred and thirteen, shall in His Royal Discretion judge it to be most for the Benefit and Advantage of this Kingdom further to continue the Prohibition of the making of Starch from Wheat, Barley, Rice, Grain, Potatoes, Flour, Meal or any other Article or Thing used for the Food of Man, from the said First Day of *October* until Forty Days after the then next Meeting of Parliament, and also the Suspension of the High Duties on the Importation of Starch, then and in such case 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 from time to time in the *London Gazette*, to continue throughout



throughout that Part of the United Kingdom called *Great Britain*, from the said First Day of *October* until Forty Days after the then next Meeting of Parliament, the Prohibition and Suspension hereinbefore mentioned; that is to say, that throughout that Part of the United Kingdom called *Great Britain* during the Continuance of such Prohibition, no Starch, Hair Powder or Blue, shall be made from Rice, Potatoes, Flour, Meal or any other Article or Thing used for the Food of Man, and so much of the Duties on the Importation of Starch as are hereinbefore mentioned shall so long continue suspended; any thing in the said recited Act contained to the contrary notwithstanding.

III. And be it further enacted, That this Act may be varied, altered or repealed, by any Act to be made in this Session of Parliament. Act varied, &c.

[*Repealed, post, c. 23.*]

### C A P. III.

An Act to amend an Act of the last Session of Parliament, for prohibiting the Intercourse between the Islands of *Jamaica* and *Saint Domingo*.

[22d December 1812.]

WHEREAS by an Act passed in the Fifty second Year of the Reign of His present Majesty, intituled *An Act to prohibit all Intercourse between the Island of Jamaica and certain Parts of the Island of Saint Domingo*, it is enacted, that, from and after the First Day of *July* One thousand eight hundred and twelve, no *British* Ship or Vessel shall, for any Purpose or under any Pretence whatever, sail from any Port or Place in the Island of *Jamaica* to any Port or Place in the Island of *Saint Domingo*, nor from any Port or Place in the Island of *Saint Domingo* to any Port or Place in the Island of *Jamaica*, except as is thereinafter provided, under the Penalty of the Forfeiture of any such Ship or Vessel, together with her Cargo, Guns, Furniture, Ammunition, Tackle and Apparel: And whereas it is farther enacted, that no Foreign Ship or Vessel, whether laden or in Ballast, shall come into any Port in the Island of *Jamaica*, if such Ship or Vessel shall have come from, or in the Course of her Voyage have touched at any Port or Place in the Island of *Saint Domingo*; and if any such Foreign Ship or Vessel shall land any Person from on board the same, or shall continue in any Port or Harbour of the said Island of *Jamaica*, for Forty eight Hours after Notice shall be given by the principal Officer of the Customs resident at the Port to depart therefrom, such Foreign Ship or Vessel shall be forfeited, together with her Cargo, Guns, Furniture, Ammunition, Tackle and Apparel: And whereas it is expedient, for the better Protection of the Trade of His Majesty's Subjects to permit *British* Ships or Vessels, or Ships or Vessels belonging to any State in Amity with His Majesty, and bound to any Port or Place within His Majesty's Dominions, sailing from any Ports or Places in the said Island of *Saint Domingo*, to call, under certain Restrictions, for Convoy at Ports or Places in the said Island of *Jamaica*; 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

52 G. 3. c. 35.  
§ 1.

§ 2.

British Vessels, &c. sailing from any Port in St. Domingo may touch at Ports in Jamaica appointed for Rendezvous or assembling for Convoy, &c.

of the same, That it shall and may be lawful for *British* Ships or Vessels, or Ships or Vessels belonging to any State in Amity with His Majesty, and bound to any Port or Place within His Majesty's Dominions, sailing from any Port or Place in the said Island of *Saint Domingo* under Convoy of and in Company with One of His Majesty's Ships, to touch or call at such Port or Place of the said Island of *Jamaica*, as may have been appointed by His Majesty's Naval Officers for the Rendezvous or assembling for the Purpose of Convoy of the General Homeward bound Trade: Provided always, that no Person from on board such Vessel shall land upon or otherwise communicate with the said Island of *Jamaica*, without a Special Licence to that Effect under the Hand and Seal of the Governor or Lieutenant Governor of the Island, the Admiral commanding in Chief on the Station, or the Senior Officer commanding His Majesty's Ships and Vessels appointed to convoy the said Vessel, which Licence they shall not grant except in cases of urgent Necessity, and if any Person belonging to such Vessel shall land or otherwise communicate with the Shore without such Licence, the Forfeiture and Penalties of the said Act shall take Effect; any thing in this present Act notwithstanding.

#### C A P. IV.

An Act for granting a Sum of Money for purchasing an Estate for the Marquis of *Wellington* and his Heirs, in Consideration of the eminent and signal Services performed by the said Marquis of *Wellington* to His Majesty and the Public.

[22d December 1812.]

Most Gracious Sovereign,  
 WHEREAS His Royal Highness the Prince Regent, acting in the Name and on the Behalf of Your Majesty, by His most gracious Message to Your Majesty's faithful Commons, hath been pleased to declare, that having taken into Consideration the eminent and signal Services performed by General the Marquis of *Wellington*, on so many Occasions, and particularly in the glorious Battle of *Salamanca*, and being desirous of bestowing such a Mark of National Munificence on General the Marquis of *Wellington*, as may enable him to sustain the high Honours which His Royal Highness the Prince Regent, acting in the Name and on the Behalf of Your Majesty, has thought proper to confer on him and his Descendants, recommended to your faithful Commons the Adoption of such Measures as may be necessary for the Accomplishment of this most important Object: Now we, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom in Parliament assembled, duly considering Your Majesty's most gracious Intention, 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 a Sum not exceeding One hundred thousand Pounds of lawful Money of *Great Britain*, shall be paid out of the Consolidated Fund of *Great Britain* (after paying or reserving sufficient to pay all such Sum and Sums of Money

100,000l. to be paid out of Consolidated Fund to Trustees.

as have been directed by any former Act or Acts of Parliament to be paid out of the same; but with Preference to all other Payments which shall or may be hereafter charged upon the said Fund) free and clear of all Taxes and Deductions whatsoever, to the Speaker of the House of Commons, the Lord High Treasurer of Great Britain, or First Lord Commissioner of the Treasury, the Chancellor of the Exchequer for the time being respectively, the Right Honourable William Wellesley Pole, and the Honourable and Reverend Gerald Valerian Wellesley Doctor in Divinity, in Trust to and for the Use of the said Marquis of Wellington, and such other Persons on whom the Title of Marquis of Wellington shall descend, and on Failure of Issue Male of the said Marquis of Wellington, in Trust to and for the Use of the Heirs of the Body of the said Marquis of Wellington, and to apply the same in the manner hereinafter directed.

II. And be it further enacted, That until such Sum of One hundred thousand Pounds shall be so paid to such Trustees as aforesaid, there shall be paid to the said Marquis of Wellington, and to the Heirs Male of his Body, and to such other Person to whom the said Title, Honour and Dignity of Marquis of Wellington shall descend, from time to time out of the said Consolidated Fund, after paying or reserving sufficient to pay any Sum directed to be paid by former Acts, but with Preference to other Payments, lawful Interest for such Sum of One hundred thousand Pounds, at and after the Rate of Five Pounds per Centum per Annum, and such Interest shall commence from the Twenty second Day of July One thousand eight hundred and twelve, and shall be payable Quarterly at the usual Days of Payment; the First Payment of Interest to be computed and paid to the Fifth Day of January One thousand eight hundred and thirteen, and to continue payable Quarterly on the Fifth Day of April, the Fifth Day of July, the Tenth Day of October and the Fifth Day of January in each Year, until such Sum of One hundred thousand Pounds shall be so paid as aforesaid, and any Fractions of a Quarter to be computed to the Day of such Payment.

Till Payment made 5 per Cent. allowed.

III. And it is hereby further enacted, That it shall be lawful for the Commissioners of His Majesty's Treasury now being, or any Three or more of them, and the High Treasurer and Under Treasurer of the Exchequer, and Commissioners of the Treasury for the time being, and they are hereby authorized and required, by Warrant under their Hands, to direct the Auditor of the Receipt of the Exchequer now and for the time being, to make forth and pass Debentures for paying the said Sum of One hundred thousand Pounds, and also from time to time for paying the Interest as aforesaid, on the said Sum of One hundred thousand Pounds, as the same shall from time to time become due and payable, without any Fees or Charges to be demanded or taken for paying the same or any Part thereof; which said Warrant, and the Debentures to be made forth and passed thereupon, 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 Sum of One hundred thousand Pounds, to such Trustees respectively as aforesaid; and also, such Instruments aforesaid to the said Marquis of Wellington and the Heirs Male of the Body of the said Marquis of Wellington, or in default of Heirs Male to the Heirs of the Body of the said Marquis,

Treasury to direct Auditor of Exchequer to make forth Debentures for paying the 100,000l.

Marquis, or to such other Person or Persons as shall be entitled to receive the same, at the respective quarterly Days in this Act before appointed for Payment thereof, without any further or other Warrant to be sued for, had or obtained in that Behalf.

Warrant of  
Treasury valid.

IV. And it is hereby further enacted, That after signing of such Warrant, the same shall be good, valid and effectual in Law, according to the Purport and true Meaning thereof and of this Act, and shall not be determined or revocable by or upon the Demise of His Majesty (whom God long preserve), or any of His Heirs or Successors, or by or upon the Death or Removal of any of the said Commissioners of the Treasury or the Lord High Treasurer, or by or upon the Determination of the Power, Office or Offices of them, or any of them.

Treasury and  
Exchequer to  
act without Fee.

V. And be it further enacted, That the Commissioners of the Treasury now being, and the High Treasurer of the Treasury for the time being, Chancellor and Under Treasurer, Chamberlains and Barons of the Exchequer, and all other the Officers and Ministers of the Court of Exchequer, and of the Receipt thereof, now and for the time being, shall, and they are hereby authorized and strictly enjoined and required to do, without Fee or Reward, all such Acts, Matters and Things as are hereinbefore directed and required, or shall be necessary to be done and performed by them, or any or either of them, in order to render this Act and the several Payments hereby directed, effectual.

Acquittance of  
Trustees and  
Marquis a suf-  
ficient Discharge.

VI. And be it enacted, That the Acquittance or Acquittances, Receipt or Receipts of the said Trustees respectively, for the Sum so directed to be paid to them, and of the said Marquis of *Wellington*, and the Heirs Male of the Body of the said Marquis of *Wellington*, and of such other Person or Persons as shall be entitled or authorized to receive any such Interest as aforesaid, shall be a good and sufficient Discharge for the Payment of such several Sums, without any further or other Warrant to be sued for or obtained in that Behalf, and that the said Sum, and every Part thereof, shall be free and clear from all Taxes, Impositions and other Publick Charges whatsoever; and in case any of the Officers of the Receipt of His Majesty's Exchequer shall refuse or neglect to pay the said Sum, or any Part thereof, according to the true Intent and Meaning of this Act, or to do any Act necessary to enable the said Trustees respectively, and the said Marquis of *Wellington*, and the Heirs Male of the Body of the said Marquis, and such other Person or Persons as shall be entitled to receive the same, then the said Trustees respectively, and Marquis, and the Heirs Male of the Body of the said Marquis, and such other Person or Persons as shall be entitled to receive the same, or any Part thereof, may from time to time sue, prosecute and implead such Officers, or any of them, their Executors and Administrators, by Bill, Plaint or Action of Debt, and shall or may recover Judgments, and sue out Executions thereupon against such Officers respectively, their Heirs, Executors or Administrators, for so much of such Sum of One hundred thousand Pounds, and for so much of such Sum or Sums of Money then due and owing for any such Interest as aforesaid, as shall have been in the Hands of the Officer or Officers of the Receipt of the Exchequer at the time or times when Demands shall have been legally made of the Payment of the said Sum, or Interest, or any Part thereof as aforesaid, or for the Refusal or Neglect to do any Act necessary to be done by such Officer or Officers respectively.

VII. And

VII. And be it further enacted, That it shall be lawful for the said Trustees to whom the said Sum of One hundred thousand Pounds is hereby granted as aforesaid, and they are hereby required to lay out and invest the said Sum of One hundred thousand Pounds, or any Part thereof, in the Purchase of any Freehold Manors, Lands, Tenements and Hereditaments, of a good Estate of Inheritance in Fee Simple, in Possession, to be free from Incumbrances (except Fee Farm and Quit Rents, and other Rent Services) and to be situate in any Part of Great Britain, and the said Freehold Manors, Lands, Tenements and Hereditaments shall, when so purchased, be forthwith settled, conveyed and assured to the Use of the said Marquis of Wellington, and to the Heirs Male of the Body of the said Marquis of Wellington, and to such other Person to whom the said Title, Honour and Dignity of Marquis of Wellington shall descend, pursuant to the Limitations of the Patent, whereby the said Dignity is granted, and in default and on failure of Heirs Male of the Body of the said Marquis, then to the Use of the Heirs of the Body of the said Marquis of Wellington.

powered to purchase Manors. &c.

VIII. Provided always, and be it further enacted, That if on the Payment of the said Sum of One hundred thousand Pounds, or any Part thereof, to such Trustees as aforesaid, the said Trustees shall not be able immediately to invest the same in any such Purchase as aforesaid, then and in such case the said Trustees shall, and they are hereby required to lay out such Sum of One hundred thousand Pounds, or such Part thereof as cannot be so invested as aforesaid in Exchequer Bills, or in any other Government Securities, and to keep the same so invested in Exchequer Bills, or some Government Securities, bearing Interest until the same can be invested in any such Purchase as aforesaid, and in the mean time, and from time to time to pay the Interest arising therefrom to the said Marquis of Wellington, or the Person entitled for the time being to such Annuity as aforesaid.

Trustees to lay Money out in Exchequer Bills, &c. till invested.

IX. And be it further enacted, That it shall be lawful for the said Marquis of Wellington or for the Person upon whom the said Title of Marquis of Wellington shall descend, either before or after his Marriage with any Woman or Women by any Deed or Deeds, or Writing or Writings, with or without Power of Revocation, to be by him sealed and delivered in the Presence of Two or more credible Witnesses (but subject and without Prejudice to the Annuity or Annuities, yearly Sum or Sums, if any, which shall be then subsisting and payable by way of Jointure or Jointures, out of the said Manors, Lands, Tenements and Hereditaments, by virtue of any Grant, Limitation or Appointment to be made in pursuance of the Power herein contained), to grant, limit and appoint unto such Woman or Women whom he shall so marry, for her or their Life or Lives, and for her or their Jointure or Jointures, in bar of Dower as hereinafter is expressed, any Annuity or yearly Sum not exceeding the Sum of One thousand five hundred Pounds of like lawful Money, clear of all Taxes, Charges and Deductions whatsoever, by Act of Parliament or otherwise howsoever to commence and take Effect immediately after the Decease of the Person granting, limiting or appointing the same, and to be issuing and payable out of the said Rents and Profits of the said Manors, Lands, Tenements and Hereditaments, and to be paid and payable by equal quarterly Payments, and the First of the said quarterly Payments

Power to grant Jointures.

to be made on the Quarter Day which shall first happen after the Decease of the Person who shall have appointed the Annuity or yearly Sum last hereinbefore authorized.

Jointures not to exceed 3,000*l.*

X. Provided always, and be it further enacted, That the said Manors, Lands, Tenements and Hereditaments shall not at one and the same time be subject to the Payment of more than the yearly Sum of Three thousand Pounds, for or in respect of any Jointure or Jointures which shall be made in pursuance of the Powers hereinbefore contained.

Manors, &c. not subject to Dower.

XI. Provided always, and be it further enacted, That the Manors, Messuages, Lands, Tenements and Hereditaments so to be purchased as aforesaid, shall not be subject to Dower of the Wife or Wives of the said Marquis of *Wellington*, or of any of the Persons who may successively be seized thereof under the Limitations aforesaid.

Marquis empowered to lease Manors for 21 Years.

XII. And be it further enacted, That it shall be lawful for the said Marquis of *Wellington*, and such other Person or Persons as shall for the time being be in Possession of or entitled to the Rents and Profits of the said Manors, Lands, Tenements and Hereditaments so to be purchased as aforesaid, as and when they shall respectively be in the Possession or entitled as aforesaid, to grant, demise and lease all or any of such Manors, Lands, Tenements and Hereditaments, which shall be so purchased as aforesaid, to any Person or Persons for any Term or Number of Years, not exceeding Twenty one Years in Possession, but not in Reversion, Remainder or Expectancy, or by way of future Interest, so as upon every of such Leases there be reserved and made payable during the Continuance thereof respectively, the best and most improved Yearly Rent or Rents that can be reasonably had or obtained for the same, without taking any Sum or Sums of Money by way of Fine or Income for or in respect of such Lease or Leases, and so as the Lessees to be therein respectively named, and their respective Executors, Administrators or Assigns, be not made punishable of or for Waste by any express Words therein, and so as that in every such Lease there be contained a Condition or Clause of Re-entry for Nonpayment of the Rent or Rents to be thereby respectively reserved, and so as such respective Lessees duly seal and deliver Counterparts of such Leases respectively.

Building Leases for 90 Years.

XIII. And be it further enacted, That it shall be lawful for the said Marquis of *Wellington*, or the Person entitled for the time being to such Manors, Messuages, Lands, Tenements or Hereditaments, with the Consent in Writing of the Trustees for the time being, by Indenture sealed and delivered in the Presence of and attested by Two credible Witnesses, to demise, lease and grant unto any Person or Persons who shall be willing to build upon the same, in the manner by the Lease or respective Leases so to be granted, to be specified for any Term or Number of Years absolute, not exceeding the Term of Ninety Years, to take effect in Possession and not in Reversion, or by way of future Interest, with Liberty for the Lessee or Lessees to take down all or any Part or Parts of any Buildings which may be standing upon the Premises in any such Lease or Leases respectively, to be comprized, and to convert and dispose of the Materials thereof to such Uses and Purposes as shall be therein mentioned and agreed upon, and also to lay out and appropriate any Part of the Premises to be comprized in such Lease or Leases, as or for a Yard or Yards, Garden or Gardens, to any Building or Buildings which may be built upon

upon the Premises, or as and for a Way or Ways, Street or Streets, Road or Roads, Avenue or Avenues, Passage or Passages, Sewer or Sewers, for the Use and Convenience of the Lessee or Lessees, or other Tenants or Occupiers of the Premises, in such manner as shall be mentioned and agreed upon in such Grant, Lease or Demise, together with such Privileges and other Easements as shall by the said Trustees be deemed reasonable or convenient, so as there be reserved in and by such Leases, Demises or Grants respectively the best and most improved yearly Rent that can be reasonably had or gotten for the same, to be made payable Quarterly, free from all Deductions whatsoever, regard being had to the Value (if any) to be comprized in such Demises or Leases, without taking any Fine, Premium or Foregift, or any thing in the Nature thereof, for the making of such respective Leases; and so as there be contained in such Demises or Leases respectively, Covenants from the respective Lessees to pay the Rent thereby reserved, to build and keep in Repair the Messuages, Erections and Buildings which may be agreed to be erected and built on the Premises, and to surrender and leave in repair the Messuages, Erections and Buildings to be erected and built upon the Premises thereby respectively to be leased at the End of the Term or Terms in such Leases granted, and so as there be contained in such Demises or Leases respectively, a Power for the Lessors and their Surveyors and Agents, to enter upon the Premises, and to inspect the State and Condition thereof, and all such other usual and proper Covenants, Provisoos and Conditions, on the Parts of the respective Lessees as are usually contained in Building Leases, and so as there be also contained in such Leases, Demises or Grants respectively, Conditions of Re-entry for Nonpayment of the Rents to be thereby reserved on Nonperformance of the Covenants, Provisoos or Conditions on the respective Lessees' Part, and so as the respective Lessees do severally execute Counterparts of their respective Leases.

XIV. And be it further enacted, That it shall not be lawful for the said Marquis of *Wellington*, or the Person or Persons who for the time being shall be entitled in Possession to the Rents, Issues, and Profits of the Manors, Lands, Tenements and Hereditaments, so to be purchased and settled as aforesaid, to commit or permit any Kind of Waste in or upon such Manors, Lands, Tenements or Hereditaments, or in or upon any Part thereof; and if the said Marquis of *Wellington*, or any such other Person or Persons as aforesaid, shall at any time or times commit or permit any such Waste, then and in every such case the said Marquis, or any other such Person or Persons as aforesaid, so committing or permitting any such Waste, and his or their Heirs, Executors and Administrators, shall be responsible in Damages to the Trustees for the time being, and shall accordingly, by virtue of this Act, be sueable at Law by the said Trustees in an Action upon the Case for such Damages; and in every such Action in which Judgment shall be given for the Plaintiff, Costs shall be awarded against the Defendant or Defendants; and all such Monies as shall be so recovered for Damages and Costs shall, after Payment of all Expenses and Charges which shall be incurred, or shall arise in Execution of this Part of the Trusts of this Act, be applied by the said Trustees for the time being, in Improvement of any of the Manors, Lands, Tenements and Hereditaments, so to be purchased and settled as aforesaid, by Repairs, Buildings, Planting, Inclosure, Draining or otherwise,

Marquis for time being answerable in Damages for Waste on Manors, &c.

otherwise, in the same manner as is hereinafter directed, concerning the Application of the Residuary Surplus Money, from Sale of Timber, under the Provisions hereinafter contained.

Making of Bricks  
or digging of  
Quarries.

XV. Provided always, and be it further enacted, That it shall be lawful for the said Marquis of *Wellington*, or the Person entitled for the time being to the Rents and Profits of any such Manors, Messuages, Lands, Tenements and Hereditaments, with the Consent of the Trustees for the time being, to dig any Brick Earth for making Bricks, or to sink, dig or work any Quarries of Stone, Mines of Coal, Minerals or other Mines, or with the Consent, in Writing, of the Trustees for the time being, to grant Leases of any Land for the making of Bricks, or sinking, digging or working any such Quarries or Mines in any such Manors, Lands, Tenements or Hereditaments, other than and except on any of the Gardens or Parks near to or surrounding the Mansion of Residence, without being impeachable for any Waste by reason thereof.

Felling of Tim-  
ber.

XVI. And be it further enacted, That it shall not be lawful at any time or times to cut down or fell, or cause to be cut down or felled, any Timber which shall be growing or standing in or upon the Manors, Lands and Hereditaments so to be purchased and settled as aforesaid, or any Part thereof, otherwise than in manner hereinafter authorized; and if any such Timber shall be felled or cut down in any other manner than is hereinafter authorized, the Person or Persons so felling or cutting down such Timber, or causing the same to be felled or cut down, shall be responsible to the Trustees for the Purposes of this Act for the time being, for the Value of the Timber so felled or cut down, and shall accordingly, by virtue of this Act, be sueable by the said Trustees for the time being in an Action upon the Case for the said Damages; and in every such Action in which Judgment shall be given for the Plaintiffs, Treble Costs shall be awarded against the Defendant or Defendants; and all such Sums of Money as shall be so recovered for such Damages and Costs shall, after Payment of all Charges and Expences which shall be incurred, or arise in the Execution of this Branch of the Trusts of this Act, be applied by the said Trustees for the time being in the same manner as hereinafter is directed, in respect of the Residuary Surplus Monies from the Sale of Timber under the Provisions for that Purpose hereinafter mentioned.

Treble Costs.

Survey of Tim-  
ber made annu-  
ally, to ascertain  
what is proper  
to be cut.

XVII. And be it further enacted, That some time in the Month of *November* in every Year, when Occasion shall require, and the same shall be requested by the said Marquis of *Wellington*, or the Person entitled for the time being to the Rents and Profits of such Manors, Lands, Tenements and Hereditaments, a Survey and Valuation shall be made by some fit and proper Person or Persons to be appointed by the Trustees for the time being, of all such Timber standing, growing and being in or upon the said Manors, Lands and Hereditaments so to be purchased and settled as aforesaid, as it shall be the Wish of the said Marquis of *Wellington*, or the Person for the time being in Possession or entitled as aforesaid, to have cut down in Course of the ensuing Year, and as shall be fit and in proper Course, or be otherwise advantageous or proper to be cut down; and such Survey and Valuation shall be reduced into Writing, and being so written, shall be signed by the Person or Persons appointed to make the same and be verified by his or their Oath or Oaths, (to be administered to  
him



him or them by any Justice of the Peace, any such Justice being hereby authorized to administer the same accordingly), and after such Survey and Valuation shall be made and sworn to as aforesaid, it shall be lawful for the said Trustees respectively, with the Consent and Approbation of the said Marquis of *Wellington*, or the Person for the time being in Possession or entitled to the Rents and Profits of the Manors, Lands, Tenements and Hereditaments so to be purchased as aforesaid (such Consents respectively to be testified by Writing under the Hands of the Persons giving the same), to order and direct, that so much of the said Timber as shall have been selected and marked for cutting by the Person or Persons making such Survey and Valuation shall be forthwith cut down and felled, and sold and disposed of, with all convenient Speed, for such Sum or Sums as to the said Trustees shall appear to be the best Price or Prices that can reasonably be had or obtained for the same.

XVIII. And be it further enacted, That the Monies from time to time to arise and be produced by every Sale of Timber as aforesaid, shall be paid to and received by the said Trustees for the time being, and the said Trustees, after Payment of all Expences attending any such Valuation and Sale, shall from time to time in the first Place set apart and appropriate so much of the Surplus Monies as at the time when such Sale shall be ordered as aforesaid shall be equal in Amount to One fourth Part of the then gross Yearly Rental of the said Manors, Lands, Tenements and Hereditaments, which shall be so purchased and settled as aforesaid, if the Produce of such Timber shall amount to so much, and do and shall from time to time, by and out of the Monies which shall be so set apart and appropriated, or by and out of the Monies produced by the Sale of such Timber, pay to the Person who at the time of such Order as aforesaid shall be in the Possession or entitled to the Rents, Issues and Profits of the said Manors, Lands, Tenements and Hereditaments so to be purchased and settled as aforesaid, or to his Executors or Administrators, Ten Pounds *per Centum* on the Amount of such gross Yearly Rental, for the Purpose of paying and re-imbursing to such Person the Charges and Expences which may have been incurred by him in the necessary and incidental Repairs of the said Estates, and do and shall lay out and invest the Residue of the Monies (which shall be so set apart and appropriated as aforesaid) in or upon any Government Stocks or Funds, or at Interest, on any Real Securities, in the Names of the said Trustees for the time being, and the said Trustees, in whose Names the same shall be so invested, shall stand and be possessed of and interested in the said Stocks, Funds and Securities upon the Trusts following; that is to say, Upon Trust from time to time, during the Life of the Person, who shall for the time being be so in Possession or entitled to the said Manors, Lands, Tenements and Hereditaments as aforesaid, at the time such Timber shall in manner aforesaid be ordered to be felled and cut down, to receive the Dividends and Interests, and Annual Proceeds of the said Stocks, Funds and Securities, and to lay out and invest the same Dividends, Interests and Annual Proceeds, in or upon any such other Stocks, Funds and Securities as aforesaid, in the Way of Accumulation, and so from time to time during the Whole of the said Life, as to the Interest, Dividends and Annual Proceeds of such other Stocks, Funds and Securities, or of any such Stocks, Funds or Securities, in or upon

Application of  
Part of Money  
arising by Sale  
of Timber.

which

which any like Accumulations shall afterwards during such Life be invested or placed out, and from and immediately after the Death of the Person so having been in the Possession, or entitled as last aforesaid, then as to all the said original Stocks, Funds and Securities, and also as to all those from such Accumulations as aforesaid, In Trust for all and every or such One or more of the Children of the Person so having been in Possession, or entitled as last aforesaid (other than and except his eldest or only Son) at such Age or Ages, Day or Days, and Times, and in such Parts, Shares and Proportions, and with such Maintenance in the mean time, until the Assignment or Transfer of their respective Shares, and subject to such Provisoos and Limitations over (such Provisoos and Limitations, nevertheless to be for the Benefit of some or one of the same Children, except as aforesaid), and in such Manner and Form as the Father so for the time being in Possession or entitled as aforesaid, by any Deed or Deeds, Writing or Writings, with or without Power of Revocation or new Appointment, to be by him sealed and delivered in the Presence of, and attested by Two or more credible Witnesses, or by his last Will and Testament in Writing, or any Codicil or Codicils thereto, to be by him signed and published in the Presence of the like Number of credible Witnesses, shall direct or appoint; and in Default of and subject to such Direction or Appointment, then in Trust for all and every the Child and Children of the Person so having been in Possession, or entitled as last aforesaid (other than and except his eldest or only Son) in equal Shares and Proportions (if more than One), and if there shall be but One such Child then in Trust for such One Child, and to assign, transfer and make over the Share or Shares of such of them as shall be a Son or Sons to him or them, at his or their Age or respective Ages of Twenty one Years, and the Share or Shares of such of them as shall be a Daughter or Daughters to her or them, at her or their Age or respective Ages of Twenty one Years, or Day or respective Days of Marriage which shall first happen after the Decease of the Person so having been in Possession, or entitled as last aforesaid.

Further Directions as to Application of Money vested in Government Securities.

XIX. Provided always, and be it further enacted, That in Default of such Direction or Appointment as aforesaid, and in case any such Child or Children being a Son or Sons (other than and except as aforesaid) shall attain the Age of Twenty one Years, or being a Daughter shall attain the like Age, or be married in the Lifetime of the Person so having been in Possession, or entitled as last aforesaid, then and from thenceforth the Share or Shares of such Son or Sons so attaining the Age of Twenty one Years (other than and except as aforesaid), and of such Daughter or Daughters so attaining the like Age, or being married before such Age, of, in, and to the said Trust Stocks, Funds and Securities last mentioned, or such Part of the said Stock, Funds and Securities as shall not have been so directed or appointed as aforesaid, shall respectively be, and be considered as a vested Interest or vested Interests in the same Child or Children, and shall be transmissible as such to his, her or their Executors, Administrators or Assigns, notwithstanding the Death of such Child or Children afterwards in the Lifetime of the Person so in the Possession, or entitled as last aforesaid.

Shares of Trust Money to go in

XX. Provided also, and be it further enacted, That if any such Child, being a Son, shall die under the Age of Twenty one Years,

or

or become an eldest or only Son, or being a Daughter, shall die under that Age, without having been married, then, and in such Case, and in Default of and subject to such Direction or Appointment as aforesaid, the Share of each such Son so dying or becoming an eldest or only Son, and of each such Daughter so dying without having been married as aforesaid, of and in the said Trust Stocks, Funds and Securities (other than what shall have been actually applied for the Advancement of such Son or Sons as hereinafter mentioned), shall from time to time go and accrue to the Survivors or Survivor, and others or other of the same Children, and the respective Executors, Administrators and Assigns, or such of them as shall be dead, having first acquired a vested Interest in their respective original Shares, and be equally divided between or amongst such Survivors and others of them, and the said Representatives of those who shall be dead (if more than One), in equal Shares and Proportions, and shall be transferrable and payable at the same Ages, Days and Times respectively, as his, her or their original Share or Shares; and such Benefit of Survivorship or Accruer shall extend as well to the surviving or accruing as to the original Shares.

certain cases to Survivors.

XXI. And be it further enacted, That in the mean time, after the Death of the Person so having been entitled or in Possession as last aforesaid, and until the said Trust Stocks, Funds and Securities, shall become assignable or transferrable by virtue of the Trusts aforesaid, the Dividends, Interest and annual Proceeds thereof or of so much thereof, whereof no such Direction or Appointment shall have been made as aforesaid, shall be paid to the Guardian or Guardians for the time being of such Child or Children, whose Share or respective Shares of the said Trust Stocks, Funds and Securities, shall not then have become assignable or transferrable as aforesaid, to be applied for and towards the Maintenance and Education, and for the Benefit of the same Child or Children (if more than One), according and in Proportion to their several apparent or presumptive Rights and Shares, in the said Trust Stocks, Funds and Securities.

Until Trust Funds become transferrable Dividends paid to Guardians, for Maintenance of Children.

XXII. Provided always, and be it further enacted, That in Default of such Direction or Appointment as aforesaid, it shall be lawful for the said Trustees, for the time being, of the said last mentioned Trust Stocks, Funds and Securities, after the Decease of the Person so having been in Possession or entitled as last aforesaid, to sell and dispose of, or call in and receive any Part of the Share or Shares of such Child or Children, being a Son or Sons, of and in the said Trust Stocks, Funds and Securities, so as the Sum or Sums to be raised or called in do not exceed the Sum of Five thousand Pounds in the whole for any One such Son, and to apply the same Sum or Sums for placing out such Son or Sons in any Profession or Employment, or for his or their Instruction therein, or for purchasing him or them a Commission in the Army, or otherwise for his or their Advancement or Benefit, notwithstanding such his or their Share or Shares shall not then have become vested, due and payable.

In what case Trustees empowered to dispose of Shares of Sons for their Benefit.

XXIII. And be it further enacted, That in case the Person so in Possession or entitled to the said Manors, Lands, Tenements and Hereditaments as last aforesaid, shall die without having any Child or Children who shall live to become entitled to the said last mentioned Trust Stocks, Funds and Securities, then, and in such case,

In case of no Children, Trustees possessed of Trust Funds for Executors, &c. of Persons dying in Possession.

the Trustees thereof for the time being shall stand possessed of and interested in the same Trust Stocks, Funds and Securities, in Trust for the Executors or Administrators of the Person so dying having been in Possession and entitled as last aforesaid, and to assign, transfer and make over the same accordingly.

Trustees, with Consent of Person in Possession, may change Securities.

XXIV. And be it further enacted, That it shall be lawful for the said Trustees, with the Consent and Approbation in Writing of the Person so in Possession or entitled to the Rents, Issues and Profits of the said Manors, Lands, Tenements and Hereditaments, for the time being, to sell and dispose of all or any Part of the said last mentioned Trust Stocks, Funds and Securities, and to lay out and invest the Monies thereon arising in or upon any other such Government or Real Securities as aforesaid, and in like manner to alter, vary and change such other Government Stocks, Funds and Real Securities, for others of the same or the like Nature, and so from time to time as often as shall be deemed expedient, subject always nevertheless to the Trusts thereof hereinbefore declared.

Trustees to apply Residue of Money arising by the Sale of Timber in Improvement of Manors.

XXV. And as to, for and concerning the Residue of the Surplus of the Monies which shall from time to time arise and be produced by every such Sale of Timber so to be cut down and felled as aforesaid, after setting apart and appropriating so much thereof as is herein directed to be set apart and appropriated for the Purposes aforesaid; Be it further enacted, That the said Trustees of this Act for the time being shall apply all such residuary Monies in such Improvement and Melioration of the said Manors, Lands, Tenements and Hereditaments, so to be purchased and settled as aforesaid, or of some Part thereof, by Buildings, Reparation, Planting, Inclosure, Draining or otherwise, as the Trustees of this Act for the time being, with the Consent of the said Marquis of *Wellington*, or the Person or Persons seized of or entitled to the said Manors, Lands, Tenements and Hereditaments in Possession, for the time being, or, in case of Infancy, his or their Guardian or Guardians for the time being, shall think most proper; or if the said Trustees for the time being, or a Majority of them, shall disagree with the said Marquis of *Wellington*, or the Person or Persons so seized or entitled as aforesaid, or his or their Guardian or Guardians, about the manner of such Application, then as the Lord High Treasurer or the First Commissioner of the Treasury for the time being shall, on a Reference to him by any of the Parties who shall so differ, by any Writing or Writings to be sealed and delivered by him, direct and appoint.

Trustees, with Consent of Person in Possession, may sell Manors, &c. and purchase others.

XXVI. Provided always, and be it further enacted, That it shall be lawful for the Trustees for the time being of the said Marquis, or of the Person or Persons entitled for the time being to the Rents and Profits of the said Manors, Lands, Tenements and Hereditaments, with the Consent and Approbation of the Person or Persons for the time being entitled in Possession to the Rents and Profits of the said Freehold Manors, Lands, Tenements and Hereditaments so to be purchased as aforesaid, such Consent and Approbation to be testified by Writing under his, her or their Hand and Seal, or Hands and Seals, and attested by Two or more credible Witnesses, to convey by way of Sale or by way of Exchange, for or in lieu of, or to sell any Manors, Messuages, Lands, Tenements and Hereditaments before purchased, for the Purpose of purchasing any other Freehold Manors,

Manors, Lands, Tenements or Hereditaments, of a good Estate of Inheritance, in Fee Simple in Possession, and to be free from Incumbrances, and situate as aforesaid, all or any of such Manors, Lands, Tenements and Hereditaments, so to be purchased as aforesaid, unto any Person or Persons, and his or her Heirs or Assigns respectively, either together or in Parcels, for such Equivalent in Money, or in Freehold Manors, Lands, Tenements and Hereditaments, as to them the Trustees for the time being shall seem meet; and it shall be lawful for the Trustees, for the time being, and they are hereby required to lay out and invest the Purchase Money which shall arise from every or any such Sale, or any Part thereof, in the Purchase of other Freehold Manors, Lands, Tenements and Hereditaments, of a good Estate of Inheritance in Fee Simple in Possession, free from Incumbrances, and situate as aforesaid, and in the mean time do and shall lay out and keep invested in Public Stocks or Government Securities, in their Names, the Purchase Money to be received as aforesaid, or so much thereof as shall not have been applied in the Purchase of other such Manors, Lands, Tenements and Hereditaments, as aforesaid, and paying and applying the Interest, Dividends and Income thereof, to the Person who for the time being would be entitled to the Rents and Profits of such Manors, Lands, Tenements and Hereditaments, if such Purchase had actually been made, and when all or any of the said Manors, Lands, Tenements and Hereditaments, hereby made exchangeable as aforesaid, shall be so disposed of, and conveyed in exchange for or in lieu of any other such Manors, Lands, Tenements or Hereditaments as aforesaid, and when all or any other such Manors, Lands, Tenements and Hereditaments, shall have been purchased with Money arising from any such Sale or Sales as aforesaid, the Fee Simple and Inheritance of such Manors, Lands, Tenements and Hereditaments so taken in Exchange or purchased, as last aforesaid, shall be well settled, conveyed and assured to the Use of such Persons, and for such Estates, and under and subject to such Powers and Provisions as the said Manors, Lands, Tenements or Hereditaments, which shall by virtue of this Act be so disposed of by way of Sale or in Exchange, would, under the Limitations in this Act contained, have stood limited, if the same had not been sold or exchanged; and all and every Person and Persons to whom any such Conveyance of all or any of the said Manors, Lands, Tenements and Hereditaments hereby made saleable or exchangeable as aforesaid, shall have been made by way of Sale or in Exchange, and the respective Heirs and Assigns of such Person and Persons, shall and may have, hold and enjoy the Hereditaments which shall by them respectively be purchased or taken in Exchange, freed and absolutely discharged of and from all the Uses, Estates, Charges, Powers and Provisions hereby limited, expressed and declared of and concerning the same Hereditaments (other than and except such Demises or Leases as shall have been previously made in pursuance of the Powers in that Behalf herein contained).

XXVII. Provided also, and it is hereby further enacted, That upon the Death of any of them, the said Right Honourable *William Wellesley Pole*, and the Honourable and Reverend *Gerald Valerian Wellesley* Doctor in Divinity, or of any Person or Persons who shall become a Trustee or Trustees under the Power of Appointment

herein

Power of appointing new Trustees.

herein contained; and also in case they the said Right Honourable *William Wellesley Pole*, and the Honourable and Reverend *Gerald Valerian Wellesley* Doctor in Divinity, or such new Trustee or Trustees who shall be appointed as herein mentioned, or any or either of them, shall desire to be discharged from or decline to act in the Trusts in and by this Act declared, then, and in every such case, and with all convenient Speed after the happening of every such case, the said Marquis of *Wellington*, or the Person or Persons who shall for the time being be entitled to the Rents and Profits of the said Manors, Lands, Tenements or Hereditaments, so to be purchased as aforesaid, or if such Person or Persons shall be under the Age of Twenty one Years, then his, her or their Guardian or Guardians, with the Consent in Writing of the First Commissioner of the Treasury, or the Lord High Treasurer for the time being, shall, by some Deed or Instrument in Writing under the Hand and Seal of the said Marquis of *Wellington*, or the Person or Persons for the time being so entitled as aforesaid, or such his, her or their Guardian or Guardians as aforesaid, nominate any other Person or Persons to be a Trustee or Trustees in the room of the Trustee or Trustees so dying or desiring to be discharged, or declining to act as aforesaid; and such new Trustee and Trustees shall have and be invested with such and the same Powers, in all respects as if he or they had been originally nominated a Trustee or Trustees in and by this Act; and after every such Appointment of a new Trustee or Trustees, such Conveyances and Acts shall be executed and done, as shall be requisite for vesting the Estate and Interest of and in all and singular the Trust Premises in the continuing Trustees or Trustee (if any such there be) and such new Trustees or Trustee conjunctly, to and for all Intents and Purposes whatsoever, or in such new Trustees or such new Trustee only, according to the Nature of the case; and in the mean time the Trust Premises shall be and remain in the remaining Trustees thereof for the time being, or the Survivors or Survivor of them, or the Executors or Administrators of such Survivor, or his Heirs, according to the Nature of the Trust Premises.

Three Trustees empowered to act except in certain cases.

XXVIII. And be it further enacted, That it shall be lawful for any Three of the Trustees for the Purposes of this Act for the time being, to do and execute all such Acts, Matters and Things, in Execution of the Trust, as all the said Trustees respectively are hereby authorized and empowered to do, and the same shall be as valid and effectual as if the same had been done and executed by all the said Trustees respectively: Provided always, that in every such Act, Matter or Thing, the said Lord High Treasurer, or First Commissioner of the Treasury, or Chancellor of the Exchequer, shall be one; save and except as to any Jointures or Charges by this Act allowed to be made on any Estates purchased under this Act, or as to the Cutting or Sale of any Timber, or Disposition of any Monies arising therefrom.

Trustees empowered to appoint Persons to act for them.

XXIX. And be it further enacted, That it shall and may be lawful for the Speaker of the House of Commons, the Lord High Treasurer or First Lord Commissioner of the Treasury, and the Chancellor of the Exchequer, respectively for the time being, from time to time, by Writing under Hand and Seal, to appoint a Person to act in all or any of the Trusts of this Act, and either, under such

Exceptions

Exceptions and Restrictions as to such Speaker of the House of Commons, Lord High Treasurer or First Lord Commissioner of the Treasury, and the Chancellor of the Exchequer, for the time being, shall seem meet, or without any Exception or Restriction; and also from time to time to remove such Substitute, and to appoint any other Person for the same Purpose; and all things which shall be done by any Person so appointed as aforesaid, within the Compass and during the Continuance of such his Appointment, shall be as valid and effectual for the Purposes of this Act as if such Things had been done by the Speaker of the House of Commons, the Lord High Treasurer or First Lord Commissioner of the Treasury, or the Chancellor of the Exchequer, who shall make such Appointment.

XXX. And be it further enacted, That the said Trustees for the time being of this Act, or any of them, shall not be charged or chargeable with or accountable for any more of the Trust Monies and Premises than they shall respectively actually receive, or shall come to their respective Hands by virtue of the Trusts herein declared, nor with or for any Loss which shall or may happen of the same Trust Monies and Premises, or any Part thereof, so as such Loss happen without their wilful Neglect or Default; and that it shall be lawful for the same Trustees for the time being, and every of them, in the first place by and out of the Monies which shall come to their Hands by virtue of the said Trusts, to deduct, retain to and reimburse themselves respectively, all such Costs, Charges, Damages and Expences, as they shall respectively pay, bear, sustain, expend or be put unto, for or by reason or means of all or any of the said Trusts, Powers and Authorities, or the Management or Execution thereof, or any Act, Transaction, Matter or Thing whatsoever, in any wise howsoever relating thereto.

Trustees answerable only for Monies, &c. so actually come to their Hands.

Expences allowed.

XXXI. And be it further enacted, That this Act may be altered, amended or repealed by any Act or Acts to be passed in this Session of Parliament.

Act altered, &c.

[See 50 G. 3. c. 8. — 52 G. 3. c. 37. — 53 G. 3. c. 133.]

C A P. V.

An Act to continue, until the Twenty fifth Day of March One thousand eight hundred and fourteen, an Act of the last Session of Parliament, for making more effectual Provision for preventing the Current Gold Coin of the Realm from being paid or accepted for a greater Value than the Current Value of such Coin; for preventing any Note or Bill of the Governor and Company of the Bank of England, or of the Governor and Company of the Bank of Ireland, from being received for any smaller Sum than the Sum therein specified; and for staying Proceedings upon any Distress by Tender of such Notes.

[22d December 1812.]

WHEREAS an Act was made in the last Session of Parliament, intituled *An Act to continue, until Three Months after the Commencement of the next Session of Parliament, and amend an Act of the last Session of Parliament (a), for making more effectual Provision for preventing the Current Gold Coin of the Realm from*

52 G. 3. c. 96.

(a) [See 51 G. 3. c. 127.]

‘ being paid or accepted for a greater Value than the Current Value of  
 ‘ such Coin ; for preventing any Note or Bill of the Governor and  
 ‘ Company of the Bank of England from being received for any smaller  
 ‘ Sum than the Sum therein specified ; and for staying Proceedings upon  
 ‘ any Distress by Tender of such Notes ; and to extend the same to  
 ‘ Ireland : And whereas it is expedient that the said Act should  
 ‘ be continued ;’ Be it therefore enacted by the King’s Most Ex-  
 cellent Majesty, by and with the Advice and Consent of the Lords  
 Spiritual and Temporal, and Commons, in this present Parliament  
 assembled, and by the Authority of the same, That the said Act  
 shall be and the same is hereby continued until the Twenty fifth Day  
 of *March* One thousand eight hundred and fourteen.

continued.

## C A P. VI.

An Act to explain and amend an Act passed in the Fifty second  
 Year of the Reign of His present Majesty, intituled *An Act*  
*for the Relief of certain Insolvent Debtors in England* ; and to  
 enlarge the Powers of the same in certain cases.

[22d December 1812.]

52 G. 3. c. 165.  
§ 5.

‘ **W**HEREAS by an Act made and passed in the Fifty second  
 ‘ Year of the Reign of His present Majesty, intituled *An*  
 ‘ *Act for the Relief of certain Insolvent Debtors in England*, it is  
 ‘ enacted, amongst other things, that it should and might be lawful  
 ‘ for the Lord Chief Justice of the Court of King’s Bench, the Lord  
 ‘ Chief Justice of the Court of Common Pleas, and the Lord Chief  
 ‘ Baron of the Court of Exchequer respectively, to nominate and  
 ‘ appoint a Barrister, and each of them was thereby required so to  
 ‘ do, for the Purpose of taking into Consideration Applications in  
 ‘ cases of Imprisonment, where the Debt should amount to a Sum  
 ‘ exceeding Two thousand Pounds, and of granting Relief in the  
 ‘ same, according to the Provisions of that Act, under the Autho-  
 ‘ rity of Rules to be made in the said Superior Courts, or by a  
 ‘ Judge’s Order at Chambers, where it should appear to them to be  
 ‘ just and fitting : And whereas since the passing of the said Act, and  
 ‘ in pursuance thereof, the Lord Chief Justice of the King’s Bench  
 ‘ has nominated and appointed *Newman Knowles* Esquire, Barrister  
 ‘ at Law, for the Purpose above mentioned, and the Lord Chief  
 ‘ Justice of the Common Pleas has nominated and appointed *Viru-*  
 ‘ *vius Lawes* Esquire, Barrister at Law, for the like Purpose, and  
 ‘ the Lord Chief Baron of the Court of Exchequer has nominated  
 ‘ and appointed *Thomas Bridges Hughes* Esquire, Barrister at Law,  
 ‘ for the like Purpose ; but certain Doubts have arisen how far the  
 ‘ Powers vested in the said Barristers by the said Act are at present  
 ‘ sufficient for effectuating the Objects of the said Act : And whereas  
 ‘ it is expedient, as well for the removing of such Doubts as other-  
 ‘ wise, that full and sufficient Powers for the effectuating the Objects  
 ‘ of the said Act should be further specially conferred on the said  
 ‘ Barristers, and that the Confirmation or Allowance of the Relief to  
 ‘ be granted under the Authority of Rules to be made in the said  
 ‘ Superior Courts of King’s Bench, Common Pleas, and Exchequer,  
 ‘ or by a Judge’s Order at Chambers, as now required by the said  
 ‘ Act, should be declared to be no longer required, and that the  
 ‘ Adjudication and Order of the said Barristers relative to the same,  
 ‘ should



• should be declared to be final and conclusive, in the manner herein-  
 after mentioned and provided; Be it therefore enacted by the  
 King's Most Excellent Majesty, by and with the Advice and Con-  
 sent of the Lords Spiritual and Temporal, and Commons, in this  
 present Parliament assembled, and by the Authority of the same,  
 That it shall and may be lawful for the said Barristers so nominated  
 and appointed as aforesaid to take into Consideration such Appli-  
 cations as may be or shall already have been made to them by Insol-  
 vent Debtors seeking to be discharged by the said Act in cases of  
 Imprisonment for Debt, where the Debt or Debts amounted or shall  
 amount to the Sum of Two thousand Pounds and upwards, and to  
 release and discharge such Insolvent Debtors from such Debts, as  
 to their Persons and Effects, according to the Provisions of the said  
 Act, in cases where, in their Judgment, it shall appear to the said  
 Barristers to be just and fitting so to do.

Barristers ap-  
 pointed in pur-  
 suance of recited  
 Act may dis-  
 charge Insolvent  
 Debtors.

II. And be it further enacted, That it shall and may be lawful  
 for the said Barristers, upon the Petition to them of any such Prisoner,  
 and on his or her leaving with the said Barristers, or one of them, at  
 his or their Place or Places of Residence, a true Copy of a Schedule,  
 containing his or her intended Discovery of his or her Real and Per-  
 sonal Estate, to be sworn to at the First Meeting of the said Bar-  
 risters next after such Petition, by Warrant under their Hands and  
 Seals, to require the Sheriff or Sheriffs, or the Keeper or Gaoler of  
 any Prison or Prisons within the Cities of *London* and *Westminster*,  
 Counties of *Middlesex* and *Surry*, or Borough of *Southwark*, to  
 bring before the said Barristers at such Place within the said Cities,  
 Counties or Borough, and at such time not exceeding Twenty Days  
 from the Date of such Warrant as in the said Warrant shall be specified  
 in that Behalf, the Body of any Person or Bodies of any Persons  
 being in any Prison or Prisons in the said Cities, Counties or Borough  
 respectively, and charged with or detained by reason of any Debt or  
 Debts, Damages or Costs, Sum or Sums of Money, or Contempt  
 for Nonpayment of Money, amounting in the whole to Two thousand  
 Pounds or upwards, with the Warrant or Warrants of his, her or  
 their Detainer or Detainers, together with a Copy or Copies of the  
 Cause or Causes with which he, she or they was or were charged  
 in such Prison, on the Fifth Day of *June* One thousand eight hundred  
 and twelve, and subsequent thereto, which Warrant or Warrants of  
 the said Barristers every such Sheriffs or Sheriff, Keeper or Gaoler,  
 is and are hereby commanded to obey.

Barristers to re-  
 quire the Bodies  
 of Prisoners in  
 Gaols within the  
 Counties of  
 Middlesex and  
 Surry. &c. to be  
 brought before  
 them.

III. And be it further enacted, That all Prisoners in any Gaol in  
*England*, other than the Gaols hereinbefore mentioned, and who  
 shall have been in Custody on the said Fifth Day of *June* One  
 thousand eight hundred and twelve, for any Debt or Debts, Damages,  
 Costs, Sum or Sums of Money, or Contempt for Nonpayment of  
 Money, to the Amount of Two thousand Pounds or upwards, shall  
 be at Liberty to apply to any of the Judges of His Majesty's  
 Courts at *Westminster* for, and the said Judges are hereby authorized  
 and required to grant, a Writ of *Habeas Corpus*, to be directed to the  
 Keeper or Keepers of such Gaol, to bring any such Prisoner before  
 the said Barristers, at such Time and Place as the said Judge or  
 Judges shall direct, on Proof being made by Affidavit to the Satis-  
 faction of such Judge or Judges that such Prisoner hath petitioned  
 the said Barristers for Relief under this Act according to the Provi-  
 sions

Prisoners in  
 other Gaols to be  
 brought by  
 Habeas Corpus.

sions thereof, and upon a Certificate under the Hands of the said Barristers that he or she hath so done; which said Writ of *Habeas Corpus* shall be served on the said Keeper of the said Gaol, or left at the said Gaol with any of the under Officers, under Keepers, or Deputies of such Gaoler or Keeper, and such Gaoler or Keeper shall (on Payment or Tender of the Charges of bringing the said Prisoner before the said Barristers at a Rate not exceeding Two Shillings *per* Mile, and on the said Prisoner depositing with the said Gaoler or Keeper the Charges of taking back the said Prisoner at the Rate aforesaid, in case the said Prisoner shall be remanded by the said Barristers) bring, or cause to be brought, the Body of the said Prisoner before the said Barristers, according to the Exigency of the said Writ, together with the Warrant or Warrants of his or her Detainer, and a Copy or Copies of the Cause or Causes with which he or she was charged in such Gaol on the said Fifth Day of *June* One thousand eight hundred and twelve, and subsequent thereto.

Rate of Travel-  
ling.

Barristers may  
administer Oaths  
to Witnesses.

IV. And be it further enacted, That the said Barristers shall have full Power and Authority to administer an Oath or Oaths to any Person or Persons appearing before them as Debtor or Debtors, or Witness or Witnesses, under this or the said recited Act, and in Execution of the Powers of the said Acts, or of either of them, and to examine such Person or Persons touching all Things which they the said Barristers shall think necessary for their Information in the Execution of the Powers committed to them by the said recited Act or this Act; and that any Person or Persons who shall wilfully forswear himself or herself, in any Oath or Oaths to be taken before the said Barristers under the Provisions of this or the said recited Act, and shall be lawfully convicted thereof, shall be guilty of wilful and corrupt Perjury, and liable to all the Pains and Penalties thereof.

Perjury.

Barristers may  
order Debtors to  
be discharged, or  
remand them  
into Custody.

V. And be it further enacted, That it shall and may be lawful to and for the said Barristers, upon the Hearing of the several Applications which shall from time to time be made to them for the Discharge of such Debtors as aforesaid, if they shall be satisfied with the Truth of the Oath or Oaths taken by such Debtors respectively, and shall be of opinion, under all the circumstances of their respective cases, that they are respectively fit and proper Persons to be discharged under the said recited Act and this Act, by Writing under the Hands and Seals of the said Barristers, to adjudge such Debtor or Debtors to be entitled to the Benefit of the said Acts; and it also shall and may be lawful to and for the said Barristers, by Warrant under their Hands and Seals, to order the Sheriff or Sheriffs, Gaoler or Gaolers, in whose Custody such Debtors are respectively detained, forthwith to set at Liberty such Debtors respectively whom they shall so adjudge to be entitled to the Benefit of the said recited Act and of this Act; and to remand into the Custody of such Sheriff or Sheriffs, Gaoler or Gaolers, any Debtor or Debtors whom they the said Barristers shall deem not entitled to the Benefit of the said Acts, and also any Prisoner or Prisoners as to Debts for which there shall be any Commitment or Detainer against them subsequent to the Fifth Day of *June* One thousand eight hundred and twelve, and such Order or Adjudication of Discharge or Remand by the said Barristers shall be, and is hereby declared to be final and conclusive, the

Provision

Order final.

Provision in the said A& heretofore made, respecting the granting of such Relief under the Authority of Rules to be made in the said Superior Courts, or by a Judge's Order, to the contrary hereof notwithstanding, and which Provision is hereby declared to be repealed; subject nevertheless to some one future Application to be made to the said Barristers for Relief under the said A&s, for the Removal of any Objection or Objections, in respect of which any Prisoner may have been remanded within One Year next after such Remand, in like manner and with and under the same Notices and Regulations as are provided by the said recited A& with respect to Prisoners remanded by the Court of Sessions of the Peace, on their first Application to be discharged; and every such Order or Adjudication of the said Barristers shall be a sufficient Discharge to the said Sheriff or Sheriffs, Gaoler or Gaolers, and shall indemnify him and them against any Escape or Escapes, Action or Actions for Escape, which shall or may be brought, commenced or prosecuted against him or them; and the said Barristers are also hereby indemnified from and against any Action or Actions against them, any or either of them, for or in respect of any such Order or Adjudication, or the Execution thereof, or any thing done under the same, or otherwise under the said recited A& or this A&; and if any Action or Suit shall be brought against the said Barristers, or any or either of them, against any Sheriff or Gaoler, or other Person or Persons, for any supposed Escape, Detainer or Imprisonment, or any other Matter or Thing done by them; or any or either of them, under this or the said recited A&, he or they may plead the General Issue, and give this A& and the Special Matters in Evidence; and if the Plaintiff be nonsuited, or discontinue his Action, or Verdict pass against him, or Judgment upon Demurrer, the Defendant or Defendants shall have Treble Costs.

Future Application.

Order Indemnity against Escape, &c.

Sheriff, &c. pleading General Issue.

Treble Costs.

VI. And be it further enacted, That the Estate and Effects of such Debtors respectively, who shall or may be adjudged to be discharged by the said Barristers, shall immediately after such Adjudication be, and the same are hereby vested in the Clerk of the Peace, Town Clerk or other Officer acting as Clerk of the Peace of the County, City or Place where such Debtors would be respectively discharged, and shall also be assigned, unto and for the Benefit of the Creditors of such Debtors respectively, unto such Person or Persons as the said Barristers shall, by Order in Writing under their Hands and Seals, nominate and appoint, in such and the like manner, and with such and the like Remedies and Powers, and under and subject to the same Obligations and Regulations, as are mentioned in the said recited A& with respect to Prisoners discharged by the Court of Sessions, and the Assignment and Disposal of their Estate and Effects; and that the future Estate and Effects of such Debtors or Prisoners, who shall be so discharged by the said Barristers, shall also be liable to Creditors, in such and the like manner as is provided by the said recited A& with respect to Prisoners discharged by the said Court of Sessions; and that all and every other the Powers, Provisions, Clauses, Articles and Things in the said A& contained, which are applicable or intended to be applied to Prisoners discharged or applying to be discharged by the said Court of Sessions, and which are not expressly repealed or altered by this A&, shall be and remain, and the same are hereby declared to be and remain in full Force and Effect,

Effects of Debtors discharged to be vested in Clerk of the Peace, &c.

and to be applicable to and to be applied as may become necessary to cases of Prisoners discharged or applying to be discharged under this Act by the said Barristers so nominated and appointed as aforesaid, in as full and ample a manner, and with the same Benefits, Privileges and Advantages, and with the same Penalties, Forfeitures and Disabilities, as if the same had been severally and respectively repeated and re-enacted in this Act.

### C A P. VII.

An Act to continue, until the Thirty first Day of *December* One thousand eight hundred and thirteen, an Act made in the Forty ninth Year of His present Majesty, to prohibit the Distillation of Spirits from Corn or Grain in the United Kingdom, and another Act made in the Forty ninth Year of His present Majesty, to suspend the Importation of *British* or *Irish*-made Spirits into *Great Britain* and *Ireland* respectively, and to continue the Duties on Worts or Wash made from Sugar in *Great Britain*, and the Duties on Spirits made from Sugar in *Ireland*. [22d *December* 1812.]

49 G. 3. c. 7.

‘ WHEREAS it is expedient that an Act made in the Forty ninth Year of the Reign of His present Majesty, intituled *An Act to prohibit the Distillation of Spirits from Corn or Grain in the United Kingdom, for a limited Time*, and which by an Act made in the last Session of Parliament was revived and continued until the Thirty first Day of *December* One thousand eight hundred and twelve, so far as relates to *Great Britain*, and by another Act made in the last Session of Parliament was revived and continued until the said Thirty first Day of *December* One thousand eight hundred and twelve, so far as relates to *Ireland*, should be further continued for a limited time within the whole of the United Kingdom;’ Be it therefore enacted by the King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the Thirty first Day of *December* One thousand eight hundred and twelve, the said recited Act of the Forty ninth Year shall be and the same is hereby further continued, and shall remain and continue in force in and through the Whole of the United Kingdom of *Great Britain* and *Ireland*, from the said Thirty first Day of *December* One thousand eight hundred and twelve, until and upon the Thirty first Day of *December* One thousand eight hundred and thirteen.

52 G. 3. c. 3. § 1.

52 G. 3. c. 47. § 1.

49 G. 3. c. 7. continued.

His Majesty, after Oct. 1. 1813, may, by Proclamation, permit Distillation of Spirits from Corn. &c. (except Wheat), and may also extend Prohibition.

II. Provided always, and be it further enacted, That in case at any time after the First Day of *October* One thousand eight hundred and thirteen, His Majesty shall in His Royal Discretion judge it to be for the Benefit and Advantage of that Part of the United Kingdom called *Great Britain*, to permit the making of Worts or Wash from Corn or Grain for Distillation, or the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, for the time being, shall in his or their Discretion judge it to be for the Benefit of that Part of the United Kingdom called *Ireland*, to permit the Distillation of Spirits from Oats, Barley or any other Corn or Grain (Wheat excepted), or from *Malt, Flour or Bran*, then and in such case it shall be

be lawful within *Great Britain* 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 from time to time in the *London Gazette*, or for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being within *Ireland*, by Proclamation or Proclamations, to be issued by and with the Advice of His Majesty's Privy Council in *Ireland*, or by Order in Council, to be published from time to time in the *Dublin Gazette*, to permit and suffer all and every Person and Persons (but not any particular Person or Persons) at any time or times not less than Thirty Days from the Date of such Proclamation or Order in Council in *Great Britain* or *Ireland* respectively, to make Worts or Wash for Distillation, and to distil Spirits from Oats, Barley, or any other Corn or Grain (Wheat excepted), or from any Malt, Flour or Bran, or in case His Majesty, the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, for the time being, at any time after the said First Day of *October* One thousand eight hundred and thirteen, shall in his or their Discretion judge it to be for the Benefit and Advantage of *Great Britain* or *Ireland* respectively, further to continue the Prohibition of the Distillation of Spirits from Corn or Grain, from the said Thirty first Day of *December* One thousand eight hundred and thirteen, until Forty Days after the then next Meeting of Parliament, then and in such case it shall and may be lawful to and for His Majesty in *Great Britain*, and to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, for the time being in *Ireland*, by Proclamation or Proclamations, to be issued by and with the Advice of His Majesty's Privy Council in *Great Britain* or *Ireland* respectively, or by Order in Council, to be published from time to time in the *London Gazette*, or in the *Dublin Gazette*, as the case may require, to continue in and throughout *Great Britain* and *Ireland* respectively, from the said Thirty first Day of *December* One thousand eight hundred and thirteen, until Forty Days after the next Meeting of Parliament, the Prohibition hereinbefore mentioned; that is to say, that in and throughout such Part of the United Kingdom as shall be named and specified in any such Proclamation or Order of Council during the Continuance of such Prohibition, no Worts or Wash for Distillation shall be made, and no Spirits shall be distilled from Oats, Barley or any other Corn or Grain, or from Malt, Flour or Bran, or any Mixture with the same.

‘ III. And whereas an Act was made in the said Forty ninth 49 G. 3. c. 2.  
 ‘ Year of the Reign of His said Majesty, intituled *An Act to*  
 ‘ *suspend the Importation of British or Irish-made Spirits into Great*  
 ‘ *Britain or Ireland respectively, until the First Day of June One*  
 ‘ *thousand eight hundred and nine*, which Act was further continued 49 G. 3. c. 105.  
 ‘ by another Act passed in the Forty ninth Year aforesaid, and was  
 ‘ also further continued by an Act made in the Fiftieth Year of the 50 G. 3. c. 5. § 3.  
 ‘ Reign of His present Majesty, and was further continued by an Act 52 G. 3. c. 3. § 4.  
 ‘ made in the last Session of Parliament, and it is expedient that all  
 ‘ the Provisions for preventing the Importation of *British or Irish-*  
 ‘ *made Spirits into Great Britain or Ireland* respectively should be  
 ‘ further continued.’ Be it therefore enacted, That all the Powers 49 G. 3. c. 2.  
 and Provisions in the said Act intituled as last aforesaid contained continued.  
 (except as far as respects the Remission of the Penalty for the  
 Forfeiture of any Spirits arriving in *Great Britain* or *Ireland* respec-  
 tively,

Exception. tively, within a time therein limited), shall continue and be in force from the Commencement of this Act, until Four Calendar Months after the Expiration of the time which shall or may be fixed under the Authority of this Act for prohibiting the Distillation of Spirits from Grain in *Great Britain*.

52 G. 3. c. 3. IV. And be it declared and enacted, That two several Acts made in the last Session of Parliament, the one intituled *An Act to revive and continue until the Thirty first Day of December One thousand eight hundred and twelve, so much of an Act made in the Forty ninth Year of His present Majesty, to prohibit the Distillation of Spirits from Corn or Grain in the United Kingdom as relates to Great Britain, and to revive and continue another Act made in the Forty ninth Year aforesaid, to suspend the Importation of British or Irish-made Spirits into Great Britain or Ireland respectively, and for granting certain Duties on Worts or Wash made from Sugar during the Prohibition of Distillation from Corn or Grain in Great Britain*; and the other intituled *An Act to grant an Excise Duty on Spirits made or distilled from Sugar in Ireland during the Prohibition of Distillation from Corn or Grain there, in lieu of the Excise Duty now chargeable thereon, and to allow a Drawback on the Export thereof, and the several Duties and Drawbacks thereby granted, and the Regulations therein contained shall be and continue in force during the Continuance of this Act, as if the same were repeated and re-enacted in this Act, except so far only as the same are altered or repealed by this Act.*

52 G. 3. c. 61.

continued.

Act altered, &c.

V. And be it further enacted, That this Act and the Acts hereby continued, may be altered, amended or repealed by any Act or Acts to be made in this present Session of Parliament.

### C A P. VIII.

An Act for repealing the Duties and Drawbacks on the Importation into and Exportation from *Great Britain* of *Spanish Red Wine*, and for granting others in lieu thereof.

[22d December 1812.]

49 G. 3. c. 98.

‘ **W**HEREAS it is expedient that the Duties and Drawbacks of Customs payable on the Importation into and Exportation from *Great Britain* of *Spanish Red Wine* should be repealed, and that other Duties and Drawbacks should be imposed and allowed in lieu thereof;’ 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 *January* One thousand eight hundred and thirteen, the Duties and Drawbacks of Customs payable by Law upon *Spanish Red Wine* imported into *Great Britain* do cease and determine, save and except in all cases relating to the recovering or paying any Arrears thereof which may remain unpaid, or to any Fine, Penalty or Forfeiture relating thereto, which shall have been incurred at any time before the said Fifth Day of *January* One thousand eight hundred and thirteen, and that from and after the said Day, in lieu and instead of the Duties hereby repealed, there shall be raised, levied, collected and paid unto His Majesty, his Heirs and Successors, the several Duties of Customs on *Spanish Red Wine* imported into *Great Britain*, as the same are respectively inserted, described

Duties, &c. on Spanish Red Wine to cease, after January 5. 1813, New Duties in Table.

described and set forth in Figures in the Table hereunto annexed, marked A., and that there shall be paid or allowed on the Exportation of such Wine the several Drawbacks of the said Duties of Custom, as the same are also respectively inserted, described and set forth in Figures in the said Table: Provided always, that nothing herein contained shall extend or be construed to extend to compel the Importers, Proprietors or Consignees of such Wine to pay the Duties upon the Importation and Landing thereof, in case such Importers, Proprietors or Consignees shall lodge and secure the same under the joint Locks of the Crown and the Merchant, in Warehouses in the Port of London, under the Regulations of an Act passed in the Forty third Year of the Reign of His present Majesty, intituled *An Act for permitting certain Goods imported into Great Britain to be secured in Warehouse without Payment of Duty*, or in Warehouses at the Out Ports, under the Regulations of an Act passed in the Forty fifth Year of the Reign of His present Majesty, intituled *An Act to authorize the Lords Commissioners of His Majesty's Treasury, to permit certain Articles to be warehoused in different Ports in Great Britain, upon giving Security for the Payment of Duties upon the Articles therein mentioned.*

Wine ware-  
housed under:

43 G. 3. c. 132.  
or

45 G. 3. c. 87.

II. And be it further enacted, That the said Duties and no other shall be charged and payable on any of the said Wine which having been warehoused or otherwise secured under the Authority of any Act of Parliament without Payment of Duty, shall be taken out of any such Warehouse or Place wherein the same shall have been lodged or secured for the Purpose of being used or consumed in Great Britain, after the said Fifth Day of January One thousand eight hundred and thirteen, notwithstanding the same may have been imported into Great Britain on or before the said Fifth Day of January One thousand eight hundred and thirteen.

Duties paid on  
Wine taken out of  
Warehouse after  
January 5. 1813.

III. And be it further enacted, That such of the said Duties as shall arise in that Part of Great Britain called England, shall be under the Management of the Commissioners of the Customs 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 the Customs in Scotland for the time being.

Duties under  
Commissioners of  
Customs.

IV. And be it further enacted, That the said Duties shall be managed, ascertained, raised, levied, collected, paid and recovered in such and the like manner as any Duties of Customs of a like nature are managed, ascertained, raised, levied, collected, paid and recovered, and under and subject to the several Powers, Conditions, Rules, Regulations, Restrictions, Penalties and Forfeitures, now in force in relation to or made for securing the Revenue of Customs in Great Britain, and all Pains, Penalties, Fines and Forfeitures for any Offences whatever committed against or in breach of any Act or Acts of Parliament in force on or 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 be in full force and effect as to the said Duties as fully and effectually, to all Intents and Purposes, as if they were at large repeated and re-enacted in this Act.

Duties how le-  
vied.

V. And be it further enacted, That all Monies from time to time arising from the said Duties, the necessary Charges of raising and accounting for the same respectively excepted, shall from time to time

Duties paid into  
Exchequer.

time be paid into the Receipt of His Majesty's Exchequer at *Westminster*, and shall be appropriated and applied in the same manner as the Duties imposed by the said recited Act of the Forty ninth Year of the Reign of His present Majesty are directed to be appropriated and applied.

Act altered, &c.

VI. And be it further enacted, That this Act may be altered, amended or repealed by any Act or Acts to be made in this present Session of Parliament.

TABLE to which this Act refers.

TABLE (A.)

A TABLE of Duties of Customs payable on the Importation of Spanish Red Wine into Great Britain.

	Permanent.				Temporary or War Duties.	
	Duty.		Drawback.			
WINE, SPANISH RED,	£.	s. d.	£.	s. d.	£.	s. d.
- - - imported in a British-built Ship, the Tun containing 252 Gallons	43	1 —	—	—	—	—
- - - not imported in a British-built Ship, the Tun containing 252 Gallons	46	6 —	—	—	—	—
- - - exported to any British Colony or Plantation in America, to Brazil, or any other of the Territories or Possessions of the Crown of Portugal in South America, or to any of the Territories of the United States of America, the Tun containing 252 Gallons	-	-	39	18 —	—	—
- - - exported to any other Place, the Tun containing 252 Gallons	-	-	36	15 —	—	—

C A P. IX.

An Act to alter and amend an Act, of the Fifty second Year of His present Majesty, for better securing the Duties on Malt. [22d December 1812.]

52 G. 3. c. 128.  
§ 6.

‘ **W**HEREAS by an Act, made in the Fifty second Year of the Reign of His present Majesty, intituled *An Act for better securing the Duties on Malt*, it is enacted, that no Maltster or Maker of Malt, having wetted or begun to wet any Corn or Grain to be made into Malt, shall continue the same or any Part thereof, in *sleep* or covered with Water, for any longer Space of time



‘ time than Fifty five Hours from the time of its being first begun to  
 ‘ be wetted : And whereas it is expedient to allow any Maltster or  
 ‘ **Maker of Malt**, having so wetted or begun to wet any Corn or  
 ‘ **Grain** to be made into Malt, to continue the whole thereof in steep  
 ‘ and covered with Water, for the Space of Sixty five Hours, under,  
 ‘ subject and according to the Rules and Regulations, hereinafter  
 ‘ mentioned ; ¶ 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, where any Maltster or Maker of Malt shall, in the  
 Notice in Writing by such Maltster or Maker of Malt given or caused  
 to be given to the Officer of Excise under whose Survey such Maltster  
 or Maker of Malt shall then be, of the particular Hour or Time of  
 the Day when he or she intends to wet Corn or Grain to be made  
 into Malt, specify that it is the Intention of such Maltster or Maker  
 of Malt to continue the same in steep for the Space of Sixty five Hours  
 from the time of its being first begun to be wetted, it shall and may  
 be lawful to and for such Maltster or Maker of Malt, who shall have  
 wetted such Corn or Grain according to such Notice, to continue the  
 same in steep and covered with Water for the said Space of Sixty  
 five Hours ; any thing in the said Act contained to the contrary in  
 any wise notwithstanding.

Notice of steep-  
ing of Malt.

II. Provided always nevertheless, that no Maltster or Maker of  
 Malt, having so as aforesaid specified such his or her Intention, shall  
 begin to wet or steep any such Corn or Grain specified in such Notice  
 to be by him or her intended to be continued in steep for the said  
 Space of Sixty five Hours at any other time than between the Hours  
 of Eight in the Evening and Eleven at Night ; and any such Malt-  
 ster or Maker of Malt, having so as aforesaid specified such his or her  
 Intention, shall be at Liberty to begin to wet or steep, and to wet or  
 steep any such Corn or Grain so specified to be intended to be con-  
 tinued in steep for the said Space of Sixty five Hours, at any time  
 between the Hours of Eight in the Evening and Eleven at Night ;  
 any thing in any former Act to the contrary in any wise notwith-  
 standing ; and no such Maltster or Maker of Malt shall empty or take  
 any such Corn or Grain from or out of his or her Cistern, Uting Vat  
 or other Vessel or Utenfil used for the wetting or steeping thereof,  
 at any other time than between the Hours of One and Four in the  
 Afternoon ; and if any such Maltster or Maker of Malt having so as  
 aforesaid specified such his or her Intention, and having wetted or  
 begun to wet any such Corn or Grain to be made into Malt, shall  
 neglect or refuse to continue the same or any Part thereof in steep or  
 covered with Water for any longer or shorter Space of Time than  
 Sixty five Hours, from the time of its being first begun to be wetted,  
 or shall begin to wet or steep any such Corn or Grain at any other  
 time than between the Hours of Eight in the Evening and Eleven at  
 Night, or shall empty or take any such Corn or Grain from or out of  
 his or her or their Cistern, Uting Vat or other Vessel or Utenfil, and  
 for the wetting or steeping thereof, at any other time than between  
 the Hours of One and Four in the Afternoon of that Day on which  
 such Sixty five Hours shall expire, then and in every such case the  
 Maltster or Maker of Malt so offending shall, for each and every such  
 Offence, forfeit and lose the Sum of Two hundred Pounds.

Time of begin-  
ning to steep, or  
taking Grain out  
of Cistern.

Penalty.

‘ III. And

52 G. 3. c. 128.  
§ 1.

‘ III. And whereas by the said Act it is enacted, That every Maltster or Maker of Malt shall erect, make and construct every Cistern by him, her or them, intended to be used for the wetting or steeping of Corn or Grain to be made into Malt, in such Manner and Form that any Officer or Officers of Excise may easily, safely and securely have Access to the same, and conveniently gauge in any Part of Two Sides of such Cistern the Corn or Grain which shall at any time be contained therein, under the Penalty of Two hundred Pounds: And whereas by means of the Ladder and moveable Plank mentioned in the said Act, any Cistern may be accurately gauged although not more than One Side of such Cistern be accessible, and it is therefore expedient to make the Provision in the Behalf hereinafter mentioned;’ Be it therefore enacted, That, from and after the passing of this Act, no Maltster or Maker of Malt shall incur or be liable to the said Penalty, who shall provide such Ladder and such moveable Plank, and shall also so construct his, her or their Cistern or Cisterns, if more than One, so that the said moveable Plank may be laid across every such Cistern in every Part thereof, in such a Manner and Form that any Officer or Officers of Excise may easily, safely and securely have Access to such Cistern and Cisterns respectively, and conveniently gauge in every Part thereof the Corn or Grain which shall at any time be contained in such Cistern and Cisterns respectively, notwithstanding only One Side of such Cistern or Cisterns, as the case may require, may be accessible, provided such Side shall be freely accessible throughout the whole Length thereof.

Securing Access  
to Officers to  
gauge Cisterns.

Act altered, &c.

IV. And be it further enacted, That this Act may be altered, amended or repealed, by any Act or Acts to be passed in this Session of Parliament.

### C A P. X.

An Act for charging an additional Duty on Rice imported into  
*Great Britain.* [22d December 1812.]

49 G. 3. c. 98.

‘ WHEREAS it is expedient that an additional Duty of Customs should be imposed on the Importation into *Great Britain* of Rice;’ 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 *January* One thousand eight hundred and thirteen, there shall be raised, levied, collected and paid to and for the Use of His Majesty, his Heirs and Successors, an additional Duty of Customs of Ten Shillings on every One hundred Weight of Rice imported into *Great Britain*, except such as shall be directly imported from any of the Possessions of the *East India* Company or from any *British* Colony or Plantation: Provided always, that nothing herein contained shall extend, or be construed to extend, to compel the Importers, Proprietors or Consignees of such Rice to pay the Duties upon the Importation and Landing thereof, in case such Importers, Proprietors or Consignees shall lodge and secure the same under the joint Locks of the Crown and the Merchant, in Warehouses in the Port of *London*, under the Regulations of an Act passed in the Forty third Year of the Reign of His present Majesty, intituled *An Act for permitting certain Goods imported into Great Britain, to be secured in Warehouses*

Duty on Rice  
imported.

Proviso.

Warehoused un-  
der 43 G. 3.  
c. 132.

*Warehouse without Payment of Duty, or in Warehouses at the Out Ports, under the Regulations of an Act passed in the Forty fifth Year of the Reign of His present Majesty, intituled An Act to authorize the Lords Commissioners of His Majesty's Treasury to permit certain Articles to be warehoused in different Ports in Great Britain, upon giving Security for the Payment of Duties upon the Articles therein mentioned.*

45 G. 3. c. 87.

II. And be it further enacted, That the said additional Duty of Customs shall be charged and payable on any Rice which having been warehoused or otherwise secured under the Authority of any Act of Parliament, without Payment of Duty, shall be taken out of any such Warehouse or Place where the same shall have been lodged or secured, for the Purpose of being used or consumed in *Great Britain*, after the said Fifth Day of *January* One thousand eight hundred and thirteen, notwithstanding such Rice may have been imported into *Great Britain*, before the Fifth Day of *January* One thousand eight hundred and thirteen.

Rice taken out of Warehouse after Jan. 5. 1813, to pay Duty although imported before that Day.

III. And be it further enacted, 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 the Customs 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 the Customs in *Scotland* for the time being.

Duties under Commissioners of Customs.

IV. And be it further enacted, That the said additional Duty of Customs by this Act imposed shall be managed, ascertained, raised, levied, collected, answered, paid and recovered, in such and the like manner, and by the same ways, means and methods, as any Duties of Customs of a like Nature are managed, ascertained, raised, levied, collected, answered, paid, recovered and allowed, and under and subject to the several Powers, Conditions, Rules, Regulations, Restrictions, Penalties and Forfeitures, now in force in relation to or made for securing the Revenue of Customs in *Great Britain*, and all Pains, Penalties, Fines or Forfeitures, for any Offence whatever committed against or in breach of any Act or Acts of Parliament in force on, or immediately before the passing of this Act made for securing the Revenue of Customs, or for the Regulation and Improvement thereof, and the several Clauses, Powers and Directions therein contained, shall be in full force and effect as to the said Duties, as fully and effectually to all Intents and Purposes, as if they were at large repeated and re-enacted in this Act.

Duties how levied.

V. And be it further enacted, That all Monies from time to time arising from the said Duties, and 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*, under the Head of Consolidated Customs, and shall be appropriated and applied in the same manner as the permanent Duties imposed by an Act passed in the Forty ninth Year of the Reign of His present Majesty, intituled *An Act for repealing the several Duties of Customs chargeable in Great Britain, and for granting other Duties in lieu thereof*, are directed to be appropriated and applied.

Monies paid into Exchequer.

49 G. 3. c. 98.

VI. And be it further enacted, That this Act may be altered, amended or repealed, by any Act or Acts to be made in this present Session of Parliament.

Act altered, &c.

## C A P. XI.

An Act for allowing an additional Drawback on Chocolate exported. [22d December 1812.]

43 G. 3. c. 69.  
Sch. C. Drawback.

Drawback on  
Chocolate ex-  
ported.

Regulations of  
41 G. 3. c. 55.  
observed.

‘ WHEREAS it is expedient to allow an additional Drawback on Chocolate exported;’ 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, there shall be paid and allowed for every Pound Weight Avoirdupois of Chocolate made in *Great Britain* of Cocoa Nuts which shall have been imported into *Great Britain*, and for which the Duties imposed in respect thereof shall have been paid and duly exported as Merchandize to Foreign Parts, an additional Drawback of One Shilling and Two pence.

II. And be it further enacted, That the said additional Drawback shall be paid and allowed out of the Duties of Excise by Law imposed for or in respect of Cocoa Nuts imported into *Great Britain*, and under, subject and according to the Rules, Regulations, Restrictions and Provisions, contained and provided in and by an Act made in the Twenty first Year of the Reign of His present Majesty King *George* the Third; among other things, for repealing the Duties payable upon Chocolate made in *Great Britain*, and for granting certain Inland Duties upon Cocoa Nuts in lieu thereof, or by any other Act or Acts of Parliament now in force relating to the Exportation of Chocolate on Drawback.

## C A P. XII.

An Act for indemnifying such Persons as have advised or acted under an Order in Council for allowing the Importation of certain Articles into the *West Indies*, and for permitting such Importation until the Thirtieth Day of *June* One thousand eight hundred and thirteen.

[22d December 1812.]

‘ WHEREAS for the necessary Supply of the *British West India* Islands, and of the Lands and Territories to His Majesty belonging on the Continent of *South America*, it has been deemed expedient, by Order in Council bearing Date the Twenty sixth Day of *October* One thousand eight hundred and twelve, to permit, till the Thirtieth Day of *June* One thousand eight hundred and thirteen, the Importation and Exportation of certain Articles in other Ships and Vessels than those allowed for such Importation and Exportation, by an Act passed in the Forty sixth Year of His present Majesty’s Reign, intituled *An Act for authorizing His Majesty in Council to allow, during the present War and for Six Months after the Ratification of a Definitive Treaty of Peace, the Importation and Exportation of certain Goods and Commodities in Neutral Ships into and from His Majesty’s Territories in the West Indies and Continent of South America*; which Order and every thing therein contained ought under the present circumstances to be justified and made good in Law;’ Be it therefore enacted by the King’s Most Excellent Majesty, by and with the Advice

46 G. 3. c. III.

Order in Council  
declared valid.

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 Order and every thing therein contained shall be deemed and taken to be valid in Law, and shall continue to be carried into Execution, and that all Persons advising or acting under the said Order shall be and they are hereby fully indemnified for the same.

II. And be it further enacted, That, from and after the passing of this Act, the Importation and Exportation of Articles, Goods and Commodities enumerated in the said Order in Council, may be made in any unarmed Ship or Vessel not belonging to *France*, or to the Subjects or Inhabitants thereof, or of any Port or Place annexed to the Territories of *France*, until the Thirtieth Day of *June* One thousand eight hundred and thirteen, and no longer.

Extended to unarmed Vessels not belonging to *France*.

[See Post. c. 67.]

### C A P. XIII.

An Act for authorizing the Assistant Secretary to the Postmaster General to send and receive Letters and Packets free from the Duty on Postage. [22d December 1812.]

WHEREAS it is expedient that the Assistant Secretary to the Postmaster General should be authorized to send and receive Letters and Packets by the Post free from 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, it shall be lawful for the Assistant Secretary to the Postmaster General for the time being to send and receive Letters and Packets by the Post free from the Duty of Postage, in the same manner as the Secretary to the Postmaster General for the time being is authorized by Law to send and receive Letters and Packets free from Postage.

Assistant Secretary may send and receive Letters free from Postage.

### C A P. XIV.

An Act to explain so much of Two Acts, for regulating His Majesty's Household and other Purposes, as relates to the Powers of the Commissioners for the Care and Management of His Majesty's Real and Personal Estate.

[22d December 1812.]

WHEREAS an Act passed in the Fifty first Year of His present Majesty, intituled *An Act to provide for the Administration of the Royal Authority, and for the Care of His Majesty's Royal Person during the Continuance of His Majesty's Illness; and for the Resumption of the Exercise of the Royal Authority by His Majesty*: And whereas an Act passed in the Fifty second Year of His present Majesty, intituled *An Act for the Regulation of His Majesty's Household, and enabling Her Majesty the Queen to meet the increased Expence to which Her Majesty may be exposed during His Majesty's Indisposition; and for the Care of His Majesty's Real and Personal Property; and to amend an Act of the last Session of Parliament, to provide for the Administration of the Royal Authority*

51 G. 3. c. 1.

52 G. 3. c. 2.

during

Lands or Tenements belonging to His Majesty in Right of His Crown not under Commissioners.

‘ during His Majesty’s Illness: And whereas Commissioners have been appointed under the said last recited Act, for the Care and Management of His Majesty’s Real and Personal Estate: And whereas it was not intended by the said last recited Act that His Majesty’s Forests or Parks, or any Part thereof which have been used and cultivated as Farms by His Majesty, should be placed under the Care, Controul and Management of the said Commissioners; but Doubts have arisen as to the Powers of the said Commissioners in respect thereof, and it is therefore expedient that such Doubts should be removed;’ 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 nothing in the said last recited Act contained, shall be deemed or construed to vest in, or place under the Care and Management or Controul of the Commissioners for the time being, appointed for the Care of His Majesty’s Real and Personal Estate, under the Provisions of the said recited Act, any Royal Palace, Forest or Park, or any Lands or Tenements belonging to His Majesty in Right of the Crown of this Realm, or making Part of any Royal Forest or Park, although the same may have been used and occupied by His Majesty before His Indisposition as Farms for His private Use; any thing in the said recited Acts, or either of them, to the contrary notwithstanding.

Act altered, &c.

II. And be it further enacted, That this Act may be altered, amended or repealed by any Act or Acts to be passed in this Session of Parliament.

#### C A P. XV.

An Act for continuing to His Majesty certain Duties on Malt, Sugar, Tobacco and Snuff, in *Great Britain*; and on Penfions, Offices and Personal Estates in *England*; for the Service of the Year One thousand eight hundred and thirteen.

[22d December 1812.]

Most Gracious Sovereign,

**W**E, Your Majesty’s most dutiful and loyal Subjects the Commons of the United Kingdom of *Great Britain* and *Ireland*, in Parliament assembled, towards raising the necessary Supplies to defray Your Majesty’s public Expences, have freely and voluntarily resolved to give and grant unto Your Majesty, the Rates, Duties and Impositions, hereinafter 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 within and throughout that Part of *Great Britain* called *England*, *Wales* and the Town of *Berwick upon Tweed*, the Duty for and upon all Malt which, in and by One Act of Parliament passed in the First Year of His Majesty’s Reign, 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 sixty one*, was granted or continued to His Majesty until the Twenty fourth Day of *June* One thousand seven hundred and sixty two,

1 G. 3. c. 3.  
continued.

two, and which by several subsequent Acts has from time to time been granted and continued to His Majesty until the Twenty fourth Day of June One thousand eight hundred and thirteen, shall be further continued in like manner, and shall be and is by this Act charged for or upon all Malt which shall be made within that Part of Great Britain called England, Wales and the Town of Berwick upon Tweed, from and after the Twenty third Day of June One thousand eight hundred and thirteen, and before the Twenty fourth Day of June One thousand eight hundred and fourteen.

II. And be it further enacted by the Authority aforesaid, That within and throughout that Part of the Kingdom of Great Britain called Scotland, there shall be raised, levied, collected, paid and satisfied, unto and for the Use of His Majesty, his Heirs and Successors, for and upon all Malt, the Duty hereinafter mentioned; that is to say: For and upon every Bushel of Malt which at any time or times, from and after the Twenty third Day of June One thousand eight hundred and thirteen, and before the Twenty fourth Day of June One thousand eight hundred and fourteen, shall be made of Barley or any other Corn or Grain in that Part of Great Britain called Scotland, by any Person or Persons whatsoever (whether the same shall be or not be for Sale) the Sum of Three pence, and so proportionably for a greater or less Quantity, to be paid by the Maker or Makers thereof respectively.

Duties paid in Scotland for Malt.

III. And be it further enacted, That the said several and respective Duties by this Act granted and continued respectively, until the Twenty fourth Day of June One thousand eight hundred and fourteen, shall be raised, levied, collected and paid unto His Majesty, his Heirs and Successors, during the time and Term aforesaid, by the same ways, means and methods, and by such Rules and Directions, and with such and the like Allowances and Repayments proportionably, and under such Penalties and Forfeitures, and with such Power of Mitigation, and other Powers in all Respects, not otherwise directed by this Act, as are prescribed, mentioned or expressed in the said former Act, or in any other Act or Acts of Parliament thereby referred unto, or any of them, for or concerning the Duties by them or any of them granted, or continued or by any other Act or Acts of Parliament now in force relating to the raising, levying, collecting, securing and managing such Duties; and that the same Act formerly made and passed, and the said other Acts hereby referred unto, as for and concerning the said Duties upon Malt, and every Article, Rule, Clause, Matter and Thing, in them or any of them contained, or thereby referred unto, and now being in force and not otherwise altered by this Act, shall be and continue in force and effect, to all Intents and Purposes, for raising, levying, collecting, securing and accounting for the Rates, Duties and Impositions hereby granted and continued respectively, and for levying and recovering the Penalties and Forfeitures, and making any Mitigations and proportional Allowances, and all other Matters and Things during the Continuance of this Act, as fully as if the same were particularly and at large repeated in the Body of this present Act; save and except as to so much of the said Acts, or either of them, herein mentioned or referred unto, as gave Power to the Commissioners of Excise, or to any other Person or Persons therein named, in England and Scotland respectively, to compound and agree with any Person or Persons for the Duties of such

How Duties on Malt raised.

Former Acts continued.

Exception.

such Malt which should grow due or payable from him, her or them, by the said Acts or either of them; any thing hereinbefore contained to the contrary notwithstanding.

IV. And whereas it is the true Intent and Meaning of this present Act, that the full and entire Sum of Twenty thousand Pounds of lawful Money of *Great Britain*, clear of all Charges and Expences of Management and Collection, shall be raised out of that Part of *Great Britain* called *Scotland*, for the Service of the Year One thousand eight hundred and thirteen, by a Malt Tax to be raised and levied as in *England*, by a Duty of Three pence *per* Bushel on all Malt made and consumed in *Scotland*; and in case the said Duty of Three pence *per* Bushel upon Malt, to be charged in *Scotland* by virtue of this Act, being duly surveyed and collected, shall not be sufficient effectually to raise and answer the said Sum of Twenty thousand Pounds in nett Money, after all Charges and Deductions whatsoever, that then such Deficiency shall be made good by a Surcharge to be made upon all Makers of Malt in that Part of *Great Britain* called *Scotland*, in Proportion to the Malt they shall respectively make between the Twenty third Day of *June* One thousand eight hundred and thirteen, and the Twenty fourth Day of *June* One thousand eight hundred and fourteen; Be it therefore enacted by the Authority aforesaid, That after the Twenty fourth Day of *June* One thousand eight hundred and fourteen, in case it shall appear to the Commissioners of Excise for the time being in that Part of *Great Britain* called *Scotland*, that the Duty upon Malt made in *Scotland* by this Act granted as aforesaid, shall not be sufficient to answer the clear Sum of Twenty thousand Pounds as aforesaid, then and in such case it shall and may be lawful for the said last mentioned Commissioners of Excise, and the Officers under them, to make a proportional Surcharge upon all and every Person and Persons who shall have made any Malt in that Part of *Great Britain* called *Scotland*, within the Year ending the Twenty fourth Day of *June* One thousand eight hundred and fourteen, or so much Money, by way of additional Duty, upon all the Malt made by such Person or Persons respectively, as shall make good such Person or Persons proportional Part of such Deficiency; which said Surcharges shall be paid to the respective Collectors of the said Duties on Malt by the respective Persons on whom the same shall be so made, within One Month after the same shall be so surcharged, or in Default thereof, the respective Person or Persons who shall neglect or refuse to make such Payment, shall forfeit Treble the Sum upon him, her or them respectively surcharged as aforesaid, to be recovered in such manner as the Duty of Three pence *per* Bushel may be recovered by virtue of this Act, or any other Act or Acts of Parliament hereinbefore recited or referred unto, which said Surcharge by way of additional Duty for making good the Deficiency of the said Sum of Twenty thousand Pounds (if any such Deficiency there shall be) shall be computed and settled as followeth; that is to say, as the particular Quantity of Malt made by each such Maltster or Maker of Malt in *Scotland*, within the said Year ending the Twenty fourth Day of *June* One thousand eight hundred and fourteen shall bear Proportion to the whole Quantity of Malt made in *Scotland* within the same Year, so the particular Surcharge to be made upon such particular Maltster or Maker of Malt, for or towards making good the said Deficiency shall bear Proportion

Money raised in Scotland; if Deficiency, an additional Duty.

Penalty.

tion



tion to the whole Sum which shall be found to be deficient as aforesaid.

V. Provided nevertheless, and be it declared by the Authority aforesaid, That if the said Rate of Three pence *per* Bushel shall produce a greater Sum than the said Sum of Twenty thousand Pounds clear of all Charges of Management, the said Surplusage so produced over and above the said clear Sum of Twenty thousand Pounds shall be wholly applied towards the encouraging and promoting of the Fisheries, and such other Manufactures and Improvements in *Scotland*, as may most conduce to the general Good of the United Kingdom, and to no other Use, Intent or Purpose whatsoever, in such manner as directed by an Act, passed in the Thirteenth Year of the Reign of His late Majesty King *George* the First, intituled *An Act for encouraging and promoting Fisheries and other Manufactures and Improvements in that Part of Great Britain called Scotland*.

Surplus of Duties applied to Fisheries in Scotland.

13 G. I. c. 30.

VI. And it is hereby declared and enacted, That in all cases where the hereinbefore recited Act of the First Year of His present Majesty's Reign did relate to any Day or Time within the Year which commenced from the Twenty third Day of *June* One thousand seven hundred and sixty one, this present Act doth and shall relate to the like Day and Time within the Year commenced from the said Twenty third Day of *June* One thousand eight hundred and thirteen.

Act to relate to same Day as 1 G. 3. c. 3.

VII. And it is hereby further enacted by the Authority aforesaid, That all Malt made in *Scotland* not to be consumed there, which at any time or times between the Twenty third Day of *June* One thousand eight hundred and thirteen, and the Twenty fourth Day of *June* One thousand eight hundred and fourteen, shall be brought into *England*, *Wales* or the Town of *Berwick upon Tweed*, shall, in case the same shall be brought by Sea, be entered with the Officer for the said Duties of the Port where the same shall be so brought into *England*, *Wales* or the Town of *Berwick upon Tweed* aforesaid, and the Sum of Six pence *per* Bushel for the Duties thereof shall be paid to such Officer before landing thereof, unless a Certificate from the proper Officer be produced that it hath paid the said Duty of Three pence *per* Bushel in *Scotland*; and if such Certificate be produced, then there shall be paid no more than Three pence *per* Bushel, by virtue of this Act, for such Malt so brought into *England*; and in case the same be brought by Land, such Malt shall pass and be carried by and through the Towns of *Berwick* or *Carlisle*, and there entered with the Officer for the said Duties, in such of the said Towns by or through which such Malt shall be so carried, and the like Duty of Six pence *per* Bushel for the same shall be paid down in ready Money, unless such Certificate be produced as aforesaid; but upon producing thereof, then there shall be paid no more than Three pence *per* Bushel by virtue of this Act, on pain of forfeiting all such Malt, or the Value thereof, as shall be landed or put on Shore, or be brought into *England* without such Entry or Payment of the Duties as aforesaid; and in case any Malt made in *Scotland* shall, during the said Term, be found coming out of *Scotland*, or be brought from thence by Land by or beyond the Towns before mentioned, without Entry or Payment of the Duties thereof, then all such Malt, or the Value thereof, shall be forfeited, and may be seized by any Officer of Excise for His Majesty's Use, One Moiety of the aforesaid Forfeiture to be and go to The King's Majesty, and the other Moiety thereof to such Person.

Malt brought from Scotland entered, or forfeited.

Penalty.

Penalty.

or Persons as shall inform, seize or sue for the same, or the Value thereof, and to be recovered and levied by such ways, means and methods as any Penalties and Forfeitures are by this or any of the former Acts relating to the Malt Duties to be recovered and levied, or by Action of Debt or upon the Case, Bill, Plaint or Information, in any of His Majesty's Courts of Record at *Westminster*, wherein no Effoign, Protection, Privilege, Wager of Law or more than One Impar lance, shall be allowed.

Allowance to  
Maltsters for  
Grain made into  
Malt.

VIII. And be it further enacted, That, from and after the said Twenty fourth Day of *June* One thousand eight hundred and thirteen, there shall be allowed to Maltsters and Makers of Malt, for Exportation, for every Twenty Quarters of Barley or other Corn or Grain which shall be made into Malt for Exportation, in cases where by Law any Bounty is allowed on the Exportation of Malt, an Allowance of Thirty Quarters after the same shall be dried and made into Malt, and no more, upon the Exportation thereof, though by their steeping, wetting or watering the same, the said Twenty Quarters shall be run out to any greater Quantity exceeding the said Thirty Quarters.

Malt shipped for  
Exportation, and  
relanded, for-  
feited.

IX. And be it further enacted, That if after the shipping of any Malt made to be exported, the Malt so shipped to be exported, or any Part thereof, shall be relanded in any Part of *Great Britain*, then and in every such case all the Malt which shall be relanded, and Treble the Value thereof shall be forfeited; that is to say, One Moiety thereof to The King, and the other Moiety to the Person or Persons who shall seize, inform or sue for the same; and such Malt, so relanded, shall and may be seized by any Officer or Officers of the Customs or Excise.

Steepings of  
Malt for Ex-  
portation kept  
separate till mea-  
sured.

X. And whereas Maltsters and Makers of Malt for Exportation do frequently mix the Produce of Two or more Steepings of Corn or Grain that have been entered to be made into Malt for Exportation, on or as soon as it comes off from the Kiln, by reason whereof the Officers for the Duties on Malt cannot ascertain the real Produce thereof, by which means great Quantities of each Steeping of such Malt are or may be privately conveyed away, and made use of for Home Consumption, though the same has not been charged with the Duty as all Malt made for Home Consumption ought to be; Be it enacted by the Authority aforesaid, That, from and after the said Twenty fourth Day of *June* One thousand eight hundred and thirteen, all and every Maltster or Maltsters, or Maker or Makers of Malt for Exportation shall keep the whole and entire Quantity of his, her or their Corn or Grain making into Malt for Exportation, of One Steeping or Wetting, when the same shall be on the Kiln, or after the same shall be taken off the Kiln, separate and apart from all and every Part of any other former Steeping or Wetting of Corn or Grain, until the same shall have been measured by such Maltsters or Makers of Malt, in the Presence of some Officer or Officers for the Duty upon Malt, on pain of forfeiting and losing the Sum of Fifty Pounds.

Penalty.

Notice to Offi-  
cers for taking  
Malt off Kilns.

XI. And be it further enacted by the Authority aforesaid, That, from and after the said Twenty fourth Day of *June* One thousand eight hundred and thirteen, all such Maltsters or Makers of Malt for Exportation, shall give Notice in Writing to some Officer or Officers of the Duties upon Malt, or shall leave Notice in Writing at the

next Office of Excise where the Journal is kept, of the Hour when he, she or they shall intend to take any Malt off the Kiln or Kilns, that such Officer or Officers may attend the measuring of such Malt; and after such Malt has been measured, the same shall be immediately carried on Shipboard, if intended to be then exported, or else shall be immediately locked up and secured in some Storehouse or other Place belonging to such Maltsters or Makers of Malt, in the Presence of the said Officer or Officers, on Pain of forfeiting the Sum of Fifty Pounds. Penalty.

XII. And be it further enacted by the Authority aforesaid, That, from and after the said Twenty fourth Day of *June* One thousand eight hundred and thirteen, if any such Maltster or Maltsters, or Maker or Makers of Malt, or any other Person or Persons whatsoever, by his Order, Privy or Direction, after any Steeping or Making of Malt shall have been locked up and secured in any Storehouse or other Place or Places in manner as aforesaid, shall open any of the Locks or Doors, or shall make any way or kind of Entrance into such Storehouse or other Place or Places, or shall remove any Part whatsoever of the Partition between any such Storehouse or Place, and any other Place or Places whatsoever next thereunto adjoining, or shall remove out of the said Storehouse or other Place, any Quantity whatsoever of the Malt that has been so locked up and secured, without the Knowledge and Consent of, or without first having given Notice to some Officer or Officers for the said Duties, he, she or they shall respectively forfeit and lose the Sum of One hundred Pounds. Penalty.

XIII. And, the better to enable the Officers for the Duties upon Malt to discover whether all such Malt made for Exportation, and that has been locked up and secured in any Storehouse or other Place or Places to be exported, has been really exported, be it enacted by the Authority aforesaid, That all and every such Maltster or Maltsters, Maker or Makers of Malt, that on the said Twenty fourth Day of *June* One thousand eight hundred and thirteen, shall have any Quantity of Malt locked up and secured in any Storehouse or any other Place or Places as is before directed to be exported, shall, within Fifteen Months next after the said Twenty fourth Day of *June* One thousand eight hundred and thirteen, remove and clear out of his Storehouse or other Place or Places, all and every Part and Parcel thereof that at any time after the said Twenty fourth Day of *June* One thousand eight hundred and thirteen, shall be locked up and secured in such Storehouse or other Place in order to be exported, and shall always from time to time, in every Fifteen Months, remove and clear out of such Storehouse or other Place or Places in order to be exported, all and every Part or Parcel of Malt that at any time within every Fifteen Months after the last clearing shall be locked up and secured in any Storehouse, or in any other Place or Places that shall be made use of by him, her or them, for the keeping of Malt for Exportation, on Pain of forfeiting and losing the Sum of Fifty Pounds. Penalty.

XIV. And be it further enacted by the Authority aforesaid, That, from and after the said Twenty fourth Day of *June* One thousand eight hundred and thirteen, all and every Person or Persons whatsoever that shall become Maltsters or Makers of Malt for Exportation, and shall make use of any Storehouse or Storehouses, Place or Places, for the keeping of Malt for Exportation, shall, within Fifteen Months after Time for clearing out Storehouses limited.

after the beginning to make use of any such Storehouse or Storehouses, or such other Place or Places, remove and clear out of such Places to be exported, all and every Part and Parcel of such Malt that at any time or times shall have been put into such Place or Places within Fifteen Months after he, she or they shall have begun to make use of such Place or Places, and shall always from time to time remove and clear out of such Storehouse or other Place to be exported, all and every Quantity of Malt whatsoever that within every Fifteen Months after the last clearing shall at any time be locked up and secured in such Storehouse or Storehouses, or any other Place or Places that shall be made use of by him, her or them, for the keeping of Malt for Exportation, on Pain of forfeiting and losing the Sum of Fifty Pounds.

Penalty.

Recovery of Penalties.

XV. And be it further enacted by the Authority aforesaid, That all Fines, Penalties and Forfeitures, for any Offences against this Act, so far as the same relates to the said Duty on Malt, shall be sued for, levied and recovered, or mitigated by the same Ways, Means and Methods as any Penalty or Forfeiture given by any of the Laws of Excise upon Beer, Ale and other Liquors can or may be sued for, levied, recovered or mitigated, or by any Law or Laws of Excise, or by Action of Debt, Bill, Plaint or Information in any of His Majesty's Courts of Record at *Westminster*, and that One Moiety of such Fines, Penalties and Forfeitures shall be to the Use of His Majesty, his Heirs and Successors, and the other Moiety to him or them that shall discover, inform or sue for the same.

38 G. 3. c. 60.

XVI. And whereas by an Act passed in the Thirty eighth Year of the Reign of His present Majesty, intituled *An Act for making perpetual, subject to Redemption and Purchase in the Manner therein stated, the several Sums of Money now charged in Great Britain as a Land Tax for One Year, from the Twenty fifth Day of March One thousand seven hundred and ninety eight*, the several and respective Sums of Money granted to Your Majesty, by a Land Tax, for the Service of the Year One thousand seven hundred and ninety eight, which were or should be charged on any Manors, Messuages, Lands, Tenements or Hereditaments in *Great Britain*, are, after the Twenty fifth Day of *March* One thousand seven hundred and ninety nine, continued and made perpetual with a Provision that the several Sums of Money charged upon Estates in ready Money, Debts, Goods, Wares, Merchandize or Personal Estates, or upon any Person or Persons in respect of any Public Office or Employment of Profit in the said Act mentioned, should, after the Twenty fifth Day of *March* One thousand seven hundred and ninety nine, be ascertained, levied, collected and paid according to the Directions of any Act or Acts to be passed for that Purpose; be it therefore enacted, That the several and respective Sums of Money which shall have been or shall be charged upon Estates, in ready Money, Debts, Goods, Wares, Merchandize, Chattels or other Personal Estate, by virtue of an Act passed in the Thirty eighth Year of the Reign of His present Majesty, 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 eight*, and which were not authorized to be sold in and by another Act made and passed in the same Thirty eighth Year aforesaid, intituled *An Act for making perpetual, subject to Redemption and Purchase in the Manner therein*

Time for levying Rates limited.

38 G. 3. c. 5.

38 G. 3. c. 60.

*wherein stated, the several Sums of Money now charged in Great Britain as a Land Tax for One Year, from the Twenty fifth Day of March One thousand seven hundred and ninety eight, and also the several Sums of Money charged by virtue of the said recited Act made in the Thirty eighth Year of His present Majesty's Reign, in respect of any Public Offices or Employments, or any Annuities, Pensions, Stipends or other Annual Payments, shall be continued and raised, levied, collected and paid unto His Majesty within the Space of One Year from the Twenty fifth Day of March One thousand eight hundred and thirteen, and shall be ascertained, assessed and taxed in such manner and form as are hereinafter expressed.*

XVII. And be it further enacted, That the several and respective Sums of Money which shall have been or shall be charged by virtue of the said recited Act made in the Thirty eighth Year of His present Majesty's Reign on Personal Estates as aforesaid, shall be and are hereby set and imposed on the several and respective Parishes, Constablewicks, Divisions, Allotments and Places, wherein the same have been or shall be so charged by virtue of the said last mentioned Act; and that, towards raising the said several and respective Sums of Money hereby charged on the respective Parishes, Constablewicks, Divisions, Allotments and Places in *England, Wales and Berwick upon Tweed*, in respect of such Personal Estate as aforesaid, all and every Person and Persons, Bodies Politic and Corporate, Guilds and Fraternities, within the same Parishes, Constablewicks, Divisions, Allotments and Places respectively, having any Estate in ready Money, or in any Debts whatsoever owing to them within *Great Britain* or without, or having any Estate in Goods, Wares, Merchandize, Chattels or other Personal Estate whatsoever, within *Great Britain* or without, belonging to or in Trust for them (except and out of the Premises deducted such Sums as he, she or they do *bona fide* owe, and such Debts owing to them as shall be adjudged desperate by the respective Commissioners appointed by this Act; and also except the Stock upon Lands, and such Goods as are used for Household Stuff; and also except such Loans and Debts as are or shall be owing from His Majesty to any Person or Persons) shall be charged with as much Equality and Indifference as is possible by a Pound Rate; that is to say, by an equal Pound Rate for every One hundred Pounds of such ready Money and Debts, and for every One hundred Pounds worth of such Goods, Wares and Merchandize, Chattels or other Personal Estate, and so for any lesser or greater Sum or Value, for or towards the said several and respective Sums by this Act set or imposed, or intended to be set or imposed, for and upon all and every such Parishes, Constablewicks, Divisions, Allotments and Places hereby charged therewith as aforesaid; so that by the said Rates so to be taxed or assessed as aforesaid for or upon the said ready Money, Debts, Goods, Wares, Merchandize, Chattels or other Personal Estate, according to the Purport and true Meaning of this present Act, the full and entire Sums hereby set or imposed, or intended to be set and imposed in *England, Wales and Berwick* as aforesaid, upon the said Personal Estates, shall be completely and effectually taxed, assessed, levied and collected, and shall be paid into the Receipt of His Majesty's Exchequer by Four Quarterly Payments, the First Payment thereof to be made on or before the Twenty fourth Day of *June* which shall be in the Year of our Lord One thousand eight hundred and thirteen.

Sum charged on Personal Estates by 38 G. 3. c. 5. shall be imposed on Parishes and raised on Estates, &c.

Exchequer, paid into.

Offices and Em-  
ployments rated  
by said Act, to  
pay the Rate  
assessed thereon.

38 G. 3. c. 5.

XVIII. And be it further enacted, That, for and towards raising the several Sums of Money charged as last aforesaid on Persons in respect of public Offices or Employments of Profit, all and every Person and Persons, and all and every Commissioner and Commissioners having, using or exercising any Public Office or Employment of Profit in *England, Wales or Berwick* as aforesaid, which is or shall be rated or assessed by virtue of an Act passed in the Thirty eighth Year of the Reign of His present Majesty, 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 eight*, and all and every their Clerks, Agents, Secondaries, Substitutes and other inferior Ministers whatsoever (such Military Officers who are or shall be in Mufter by the Muster Master General of His Majesty's Army, or in Pay in His Majesty's Army or Navy in respect of such Offices only excepted), shall yield and pay unto His Majesty any Sum not exceeding the Sum at which such Office or Employment was assessed in the Year commencing from the Twenty fifth Day of *March* One thousand seven hundred and ninety eight, by virtue of the said Act passed in the Thirty eighth Year of the Reign of His present Majesty, 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 eight*; and that all and every Person and Persons, Guilds and Fraternities, Bodies Politic and Corporate, having an Annuity, Pension, Stipend or other yearly Payment, either out of the Receipt of His Majesty's Exchequer in *England*, or out of any Branch of His Majesty's Revenue in *Great Britain*, or payable or secured to be paid by any Person or Persons whatsoever in *Great Britain* (not being or issuing out of any Lands, Tenements or Hereditaments, or charged upon the same, or included in any Assessment made upon Lands, Tenements or Hereditaments mentioned in the said Act passed in the Thirty eighth Year of the Reign of His present Majesty, 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 eight*, and not being Annuities or yearly Payments which, by any Act or Acts of Parliament made or to be made, are or shall be especially exempted from the Payment of Taxes or Aids), shall yield and pay unto His Majesty the Sum of Four Shillings for every Twenty Shillings by the Year for every such Annuity, Pension, Stipend or yearly Payment respectively, and after that Rate for one whole Year; the said several Rates and Sums of Money hereby granted to be assessed, levied and collected, in such manner as hereinafter is mentioned.

38 G. 3. c. 5.

Commissioners of  
Land Tax ap-  
pointed by  
48 G. 3. c. 102.  
and 49 G. 3. c. 55.  
to put this Act in  
Execution.

XIX. And be it further enacted, That, for the better assessing, ordering, levying and collecting of the several Sums of Money so as last aforesaid limited and appointed to be raised and paid in the aforesaid Part of *Great Britain* called *England, Wales and Berwick upon Tweed*, in respect of Personal Estates, and in respect of Offices or Employments of Profit and Annuities, Pensions, Stipends and other yearly Payments, and, for the more effectual putting this Act in Execution, in reference to the same, all and every the Person and Persons who in and by an Act of Parliament, made and passed in the Forty eighth Year of His Majesty's Reign, intituled *An Act for appointing Commissioners for carrying into Execution an Act of this Session*

*Session of Parliament for granting to His Majesty a Duty on Pensions and Offices in England, and an Act made in the Thirty eighth Year of His present Majesty, 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 eight; or in and by one other Act made in the Forty ninth Year of the Reign of His present Majesty, intituled An Act for rectifying Mistakes in the Names of the Commissioners appointed by an Act of the last Session of Parliament for appointing Commissioners for carrying into Execution an Act of this Session of Parliament for granting to His Majesty a Duty on Pensions and Offices in England, and an Act made in the Thirty eighth Year of His present Majesty 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 eight, and for appointing other Commissioners together with those named in the first mentioned Act, to put in Execution an Act of this Session of Parliament for continuing to His Majesty certain Duties on Malt, Sugar, Tobacco and Snuff in Great Britain, and on Pensions, Offices and Personal Estates in England, for the Service of the Year One thousand eight hundred and nine; also the said Act made in the Thirty eighth Year of His present Majesty, and for indemnifying such Persons as have acted as Commissioners for executing the said Acts, were named and appointed Commissioners for putting in Execution the same Acts within the several Counties, Ridings, Cities, Boroughs, Cinque Ports, Towns, Divisions and Places of England, Wales and Town of Berwick upon Tweed, duly qualifying themselves according to the said Act, passed in the Thirty eighth Year of the Reign of His present Majesty, 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 eight, in that behalf shall be Commissioners for putting in Execution this present Act, and the Powers therein contained, within and for all and every the Parishes, Conflablewicks, Divisions, Allotments and Places, situate within the same Counties, Ridings, Cities, Boroughs, Cinque Ports, Towns, Divisions and Places respectively, unless before the Day hereinafter appointed for the first Meeting of the Commissioners for putting this Act into Execution, some Act or Acts of Parliament shall be made and passed for naming and appointing Special Commissioners for putting into Execution this present Act, in which case no Person or Persons shall be empowered by virtue of any Nomination or Appointment by any former Act or by this Act of Parliament, to act as a Commissioner for putting this present Act into Execution.*

38 G. 3. c. 5.

XX. And be it further enacted, That the several Commissioners last aforesaid shall meet together at the most usual and common Places of Meeting within their respective Hundreds, Lathes, Rapes, Wapentakes, Wards and other Divisions respectively, within England, Wales and Berwick upon Tweed, within which they are appointed Commissioners, on or before the Thirtieth Day of April One thousand eight hundred and thirteen, and shall meet afterwards in like manner as often as it shall be necessary, for putting so much of this Act in Execution as is hereby committed to their Care and Charge; and the said Commissioners, or so many of them as shall be present at such Meeting or Meetings or the major Part of them, are hereby authorized and required to inspect and examine the Assessments made by virtue of the said recited Act, made in the Thirty eighth

Meetings of  
Commissioners.

38 G. 3. c. 5.

Year aforesaid, for the Year ending on the Twenty fifth Day of *March* One thousand eight hundred and thirteen, and ascertain the several and respective Sums of Money charged by virtue of the said last mentioned Act, in every Parish, Constablewick, Division, Allotment or Place, for or in respect of any Estate in ready Money, Debts, Goods, Wares, Merchandize, Chattels or other Personal Estate, and also for or in respect of any Offices or Employments of Profit, Annuities, Pensions or Stipends, as aforesaid, by any Assesment made for the said Year ending on the said Twenty fifth Day of *March* One thousand eight hundred and thirteen, and separate, divide and set down in Writing, the Amount of the several and respective Sums charged upon Estates in ready Money, Debts, Goods, Wares and Merchandize, Chattels or other Personal Estate, and also the several and respective Sums charged in respect of any Offices or Employments of Profit, Annuities, Pensions or Stipends, as aforesaid, from the Monies charged in such Parishes, Constablewicks, Divisions, Allotments or Places by virtue of the said last mentioned Act, upon Lands, Tenements or Hereditaments; and the said Commissioners are hereby required to deliver or cause to be delivered, a Schedule or Duplicate in Parchment under their Hands and Seals, fairly written, containing the whole Sum assessed on each Parish, Constablewick, Division, Allotment or Place, where any Assesment shall have been made upon Personal Estates, or in respect of Offices and Employments of Profit, Annuities, Pensions or Stipends, and also the Christian Names and Surnames of the respective Assessors and Collectors under the Receiver General of each County, Riding, City, Borough, Town and Place, respectively, where such Assesments shall have been made, or his Deputy, and shall transmit or cause to be transmitted a like Schedule or Duplicate into the King's Remembrancer's Office of the Exchequer, and this the Commissioners shall cause to be done on or before the Tenth Day of *May* One thousand eight hundred and thirteen, for which Duplicates the Receiver and Remembrancer, or their respective Deputies, shall give to the Person who brings the same, a Receipt in Writing, *gratis*, under the Penalty of Ten Pounds, to be recovered to The King's Use as other Penalties are by this Act recoverable.

**Penalty.**

Places assessed under 38 G. 3. c. 5. discharged.

XXI. Provided always, and be it further enacted, That every Parish or Place in which any Assesment shall have been or shall be made, under and by virtue of the said last recited Act, on any Person or Persons in respect of any Offices or Employments of Profit, Annuities, Pensions or Stipends, by any Assesment for the Year ending on the Twenty fifth Day of *March* One thousand eight hundred and thirteen, shall, from and after that time, be wholly discharged from so much of the Sums to be levied upon such Parish or Place, according to the Proportions established under the said recited Act.

Penalties imposed by 38 G. 3. c. 5. extended to this Act.

XXII. And be it further enacted, That all and every the Powers, Rules, Penalties, Forfeitures, Clauses, Matters and Things, which, in and by the said Act, passed in the Thirtieth Year of the Reign of His present Majesty, 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 eight*, are provided and established for ascertaining, raising, levying, mitigating, adjudging, paying and managing the Rates and Assesments granted by the said last mentioned Act; and which by the said other Act passed



passed in the same Thirty eighth Year aforesaid, intituled *An Act for making perpetual, subject to Redemption and Purchase in the Manner therein stated, the several Sums of Money now charged in Great Britain, as a Land Tax for One Year, from the Twenty fifth Day of March One thousand seven hundred and ninety eight*, are continued and made perpetual, in relation to the Rates and Assessments charged on Lands, Tenements and Hereditaments, until the Redemption and Purchase thereof, shall be practised, used and put in Execution in and for the ascertaining, raising, levying, mitigating, adjudging, paying and managing the said last mentioned Rates, Assessments and Sums of Money to be charged, assessed and levied by virtue of this Act, in respect of Personal Estates, and in respect of Offices or Employments of Profit, and Annuities, Pensions, Stipends and other yearly Payments, as fully and effectually, to all Intents and Purposes, as if all and every the said Powers, Rules, Penalties and Forfeitures, Clauses, Matters and Things were particularly repeated and re-enacted in this Act.

XXIII. Whereas by an Act passed in the Thirty eighth Year of the Reign of His present Majesty, 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 eight*, the Town and County of the Town of Newcastle upon Tyne was charged in the Sum of Two thousand five hundred and eighty Pounds Sixteen Shillings and Four pence, Part whereof has been raised and charged on the Duty hereinafter mentioned. And whereas by Two Acts, One thereof passed in the Thirty ninth Year of the Reign of His said present Majesty, intituled *An Act to enable the Lords Commissioners of the Treasury to contract with the Most Noble Charles Duke of Richmond for the absolute Purchase of the Property of the said Duke, and all others interested, in a certain Duty of Twelve pence per Chaldron on Coals shipped in the River Tyne, to be consumed in England, and to grant a Compensation for the same by way of Annuity, payable out of the Consolidated Fund; and the other thereof passed in the Thirty ninth and Fortieth Years of the Reign of His said Majesty, intituled *An Act to confirm an Agreement entered into between the Commissioners of His Majesty's Treasury, and the Most Noble Charles Duke of Richmond, in pursuance of an Act passed in the Thirty ninth Year of His present Majesty, intituled An Act to enable the Lords Commissioners of the Treasury to contract with the Most Noble Charles Duke of Richmond for the absolute Purchase of the Property of the said Duke, and all others interested, in a certain Duty of Twelve pence per Chaldron on Coals shipped in the River Tyne, to be consumed in England, and to grant a Compensation for the same by way of Annuity, payable out of the Consolidated Fund, and by virtue of the Agreement therein recited; the said Duty from and after the Twenty second Day of August One thousand seven hundred and ninety nine, was vested in, and made payable to His Majesty, his Heirs and Successors, and the same hath ever since been collected with and paid as the other Duties of Customs have been collected and paid; and it is therefore just that the said Town and County of the said Town should, from the above Period, be exonerated and discharged from the Amount annually charged on the said Duty as aforesaid; Be it further enacted, That it shall be lawful for the said Commissioners of the said Town**

38 G. 3. c. 62.  
§ 1.38 G. 3. c. 5.  
§ 2.

39 G. 3. c. 84.

39 & 40 G. 3.  
c. 43.Commissioners  
for Newcastle  
upon Tyne to

certify Duty  
charged.

Town and County to certify to the Barons of His Majesty's Court of Exchequer, what Sum and Sums of Money have been charged on the Duty in the said Two last recited Acts mentioned since the Day of the Surrender of the same, by virtue of the said Two last recited Acts, and the Agreement therein mentioned; and the said Barons, or any Two or more of them, have hereby Power by their Discretions, at any time before the Twenty fifth Day of *March* One thousand eight hundred and thirteen, to discharge or cause to be discharged so much of the said Sum of Two thousand five hundred and eighty Pounds Sixteen Shillings and Four pence, as shall appear to them to have been charged on the said Duty, since the said Twenty second Day of *August* One thousand seven hundred and ninety nine; and the said Sums shall or may be discharged upon the Duplicates returned or to be returned for the said Town and County, and shall be allowed upon the Accounts of the Receivers General, and the Inhabitants of the said Town and County shall be acquitted against His Majesty, his Heirs and Successors, for the Payment of such Sums so discharged or ordered to be discharged, by the Barons of the said Exchequer, as well for the Assessments heretofore made as for all Assessments hereafter to be made; any thing in the said first recited Act to the contrary notwithstanding.

Where Deficien-  
cies arise new  
Assessments  
made.

XXIV. And be it further enacted, That in case the Proportions set by this Act upon all and every the respective Parishes, Constablewicks, Divisions, Allotments and Places in *England, Wales and Berwick upon Tweed*, in respect of any such Personal Estate as aforesaid, shall not be fully assessed, levied and paid, according to the true Meaning thereof, or if any of the said Assessments in respect of such Personal Estate shall be rated or imposed upon any Person not being of Ability to pay the same, or that through any Wilfulness, Neglect, Mistake or Accident, the said Assessment charged in each Parish or Place as aforesaid by virtue of this Act, happens not to be paid to the Receiver General, his Deputy or Deputies, as in this Act is directed; that then and in all and every such case or cases, the several and respective Commissioners, Assessors and Collectors, acting in the Execution of this Act in relation to the said Duties on Personal Estates, and the said last mentioned Duties in respect of Offices and Employments of Profit, Annuities, Pensions, Stipends and other yearly Payments, and every of them respectively, are hereby authorized and required to assess and re-assess, or cause to be assessed and re-assessed, levied and paid all and every such Sum and Sums of Money upon the respective Parishes or Places wherein such Deficiencies shall happen, as to such Commissioners, or such Number of them as by this Act are authorized to cause the said First Assessment hereby required to be made, shall seem most agreeable to Equity and Justice; the said new Assessment to be made, collected and paid in such manner and by such means as in this Act or any Act hereby referred to is declared and directed for other Assessments.

XXV. And, in order to ascertain more particularly the Mode of assessing and rating the several Persons who shall be charged with any Rate or Assessment in respect of any Estates in ready Money, Debts or Personal Estate in *England, Wales or Berwick upon Tweed*, be it further enacted, That every Person who is or shall be rated for or in respect of any Personal Estate to him or her any ways belonging, shall be rated at such Place where he or she shall be resident at the time of

Rated where  
resident.

the Execution of this Act; and all Persons not being Householders, nor having a certain Place of Residence, shall be taxed at the Place where they shall be resident at the time of the Execution of this Act; and if any Person who ought to be taxed in *England, Wales or Berwick upon Tweed*, by virtue of this Act, for or in respect of his or her Personal Estate, shall, at the time of his or her Assessment, be out of the Realm, such Person shall be rated therefore in such Parish, Constablewick, Division, Allotment or Place, where he or she were last abiding within this Realm.

XXVI. Provided always, That where any Person shall have any Goods, Wares, Merchandize, Chattels or Personal Estate, in any Parish or Parishes, Constablewick or Constablewicks, Division or Divisions, Allotment or Allotments, or Place or Places, other than the Parish, Constablewick, Division, Allotment or Place where he or she shall be resident, or had his or her Residence, it shall be lawful at any time before the Twenty fourth Day of *August* One thousand eight hundred and thirteen, to rate and assess such Person for such Goods, Wares, Merchandize, Chattels or Personal Estate, in any Parish or Parishes, Constablewick or Constablewicks, Division or Divisions, Allotment or Allotments, or Place or Places where the same shall be: Provided also, that if any Person or Persons by reason of his, her or their having several Mansion Houses or Places of Residence, or otherwise, shall be doubly charged for any Personal Estate by occasion of this Act, then upon Certificate made by any Two or more of such Commissioners for the County, Riding, City or Place of his, her or their last Personal Residence, under their Hands and Seals, of the Sum or Sums charged upon him, her or them (which Certificate the said Commissioners are hereby required to give without Delay, Fee or Reward), and upon Oath made of such Certificate before any Two such Commissioners who have Authority to put this Act in Execution for the County, Riding, City or Place, where the said Certificate shall be made (which Oath such Commissioners are hereby authorized and required to administer), then the Person or Persons so doubly charged shall, for so much as shall be certified, be discharged in every other Parish, Constablewick, Division, Allotment or Place in *England, Wales or Berwick upon Tweed*.

XXVII. Provided also, That this Act shall not extend to the Inhabitants of *Scotland, Ireland, Jersey or Guernsey*, for assessing any such Personal Estate which they, or any to their Use, have within those Places, for or towards the said Sum hereby authorized to be charged upon any Parish or Parishes, Constablewick or Constablewicks, Division or Divisions, Allotment or Allotments, or Place or Places in *England, Wales or Berwick upon Tweed*, as aforesaid; and if any Person that ought to be taxed by virtue of this Act, for or in respect of his or her Personal Estate, shall, by changing his or her Place of Residence, or by any other Fraud or Covin, escape from the Taxation, and not be taxed, and the same be proved before the Commissioners, or any Two or more of them, at any time within One Year next after such Tax made, every Person that shall so escape from the Taxation and Payment, shall be charged, upon Proof thereof, at Treble the Value of so much as he or she should or ought to have been charged at by this Act, the said Treble Value, upon Certificate thereof made into the Exchequer by the Commissioners before whom such Proof shall be made, to be levied on the Goods, Lands and Hereditaments of such Persons.

Personal Estate assessed where it shall be, though Assessor resides elsewhere.

Personal Estate in Scotland, &c. Proviso for.

XXVIII. And

Housekeepers  
not giving an  
Account of  
Lodgers.

Penalty.

Members of Par-  
liament rated at  
their Mansion  
Houses.

Penalty.

Inhabitants of  
Towns having  
Personal Estates  
in one or more  
Parishes assessed  
where resident.

Officers of Ex-  
chequer, &c. to  
deliver Lists of  
Pensions and  
Annuities when  
required.

XXVIII. And, for the better Discovery of Personal Estate intended to be charged by this Act, be it further enacted, That every Householder in *England, Wales* or *Berwick upon Tweed*, shall, upon Demand of the Assessors of the respective Parishes or Places, give an Account of the Names and Qualities of such Persons as shall sojourn or lodge in their respective Houses, under the Penalty of forfeiting to His Majesty the Sum of Five Pounds, to be levied and recovered in such manner as any other Penalty in this Act mentioned shall and may be levied and recovered.

XXIX. And be it further enacted, That the several Members of Parliament who at the Execution of this Act, during this or the subsequent Session of Parliament, shall abide within the Cities of *London* and *Westminster*, and the Suburbs of the same, or within the County of *Middlesex*, shall for or in respect of their ready Money or Debts, or any other Tax which may be laid on their Personal Estate or Persons in respect thereof, during this or the next Session of Parliament, be assessed only in the Places where such Members have their Mansion Houses, or other Places where they most usually reside during the Intervals of Parliament; and in case any Assessor or Commissioner shall assess, or cause to be assessed, any Member of Parliament contrary to the Provision hereby made, he or they shall forfeit to the Party aggrieved the Sum of Forty Pounds, to be recovered by Action of Debt, or upon the Case, together with full Costs of Suit; any thing herein contained to the contrary notwithstanding.

XXX. Provided always, That where any Person liable to be rated in respect of such Personal Estate, and inhabiting within the City of *London*, or any other City or Town Corporate in *England, Wales* or *Berwick upon Tweed*, hath his Dwelling House in One of the Parishes or Wards therein, and hath any Goods, Wares or Merchandize, in any One or more of the other Parishes or Wards within the same, that then such Person shall be taxed, charged and assessed for such his Goods, Wares and Merchandize, in the Parish or Ward where he dwelleth, and not elsewhere, within the said City and Town Corporate.

XXXI. And be it further enacted, That the Officers in the Receipt of His Majesty's Exchequer, and in other the Public Offices, upon Request to them made by the respective Assessors, shall deliver, gratis, true Lists or Accounts of all Pensions, Annuities, Stipends or other annual Payments, and of all Fees, Salaries and other Allowances, payable at the said Receipt, or in the said Public Offices, to any Commissioner or Commissioners, Officer or Officers, for the Execution of this Act, for the better Guidance of the said Assessors in the charging of the same; and that in all cases where any Pensions, Annuities, Stipends or other yearly Payments, or the Fees, Salaries, Wages or other Allowances or Profits charged by this Act, shall be payable at the Receipt of the Exchequer, or at any other Public Office, or by any of His Majesty's Receivers or Paymasters in *England, Wales* and *Berwick upon Tweed*, the said last mentioned Tax or Payment, which in pursuance of this Act shall be charged for or in respect of such Annuities, Stipends, Fees, Salaries, Wages, Allowances or Profits shall and may (in case of Nonpayment thereof) be detained and stopped out of the same, or out of any Money which shall be paid upon such Pensions, Annuities, Stipends, Fees, Salaries, Wages, Allowances or Profits, or for Arrears thereof, and

be applied to the Satisfaction of the Rates and Duties not otherwise paid as aforesaid; and the proper Officers in the said Exchequer, and other the Public Offices aforesaid, shall keep true Accounts of all Monies stopped and (upon Request) shall give Copies of such Accounts to the proper Collectors of such Monies for the respective Parishes or Places where the said Monies are assessed by this Act.

XXXII. And be it further enacted, That every Person in *England, Wales or Berwick upon Tweed*, rated or assessed for his Office or Employment, shall be rated and pay for his said Office or Employment in the County, City or Place where the same shall be exercised, although the Revenue or Profits arising by such Office or Employment are payable else where Provided always, that the Right Honourable the Master of the Rolls, the Masters in Chancery, Six Clerks, Clerks of the Petty Bag, Examiners, Registers, Clerks of the Inrolments, Clerks of the Affidavit and Subpœna Office, and all other the Officers of the Court of Chancery, that execute their Offices within the Liberties of the Rolls, shall be there assessed to the said last mentioned Duties for their respective Offices, Salaries and other Profits, and not elsewhere; and the said Masters in Chancery for the time being, and the said Six Clerks and Registers for the time being, shall be the Commissioners for putting in Execution, and shall put in Execution this Act with relation to the last mentioned Duties, within the said Liberty, and exercise the Powers therein contained; and that all Annuities, Stipends and Pensions, payable to any Officers in respect of their Offices, shall be taxed and assessed to the said last mentioned Duties where such Officers are rated and assessed for their Offices, and not elsewhere; and that all other Pensions, Stipends and Annuities in *England, Wales and Berwick upon Tweed*, not charged upon Lands, shall be charged and assessed in the Parishes and Places where they are payable.

XXXIII. And whereas divers Offices and Employments of Profit, chargeable by this Act, are executed by Deputy, and the principal Officers living in Places remote from the Division, Parish, or Place where such Offices or Employments are taxable, the Rates and Assessments for such particular Offices and Employments cannot be recovered without great Charge and Difficulty; Be it therefore enacted, That where any Office or Employment of Profit chargeable by this Act, is or shall be executed by Deputy, such Deputy shall pay such Assessment as shall be charged thereon, and deduct the same out of the Profits of such Office or Employment; and in case of Refusal or Nonpayment thereof, such Deputy shall be liable to such Distress as by this Act is prescribed against any Person having and enjoying any Office or Employment of Profit, and to all other Remedies and Penalties therein respectively contained; and that there shall be the like Remedies and Penalties for the recovering the Monies assessed upon any such Office or Employment of Profit to the Land Tax for the Year One thousand seven hundred and six, and for any subsequent Year not yet satisfied, in all cases where the Accounts of those Years, or any of them, are not otherwise cleared in the Exchequer.

XXXIV. Provided always, and it is hereby further enacted, That this Act, or any thing herein contained, shall not charge or be construed to charge Her Majesty the Queen, or any of the Royal Family, for or in respect of any Annuities yearly Payments granted

Officers to pay where employed.

Officers in Chancery assessed in the Rolls Liberty.

Offices executed by Deputy Assessment paid by him.

Queen or Royal Family not chargeable in respect of Annuities.

granted to Her said Majesty and to their said Royal Highnesses, but that such Sums of Money, Annuities or yearly Payments, and Her said Majesty and their Royal Highnesses, and their Treasurers, Receivers General and Servants for the time being, in respect of the same, shall be free and clear from all Taxes, Impositions and other Charges whatsoever: Provided also, that this Act, or any of the several Clauses herein contained, shall not extend to charge the Pensions of any superannuated Commission or Warrant Sea or Land Officer, or the Pensions of Widows of Sea or Land Officers slain in the Service of the Crown; or the Revenue of the most Noble Order of the Garter; or the Pensions of the Poor Knights of *Windsor* payable out of the Exchequer only; or to charge a certain Pension of One hundred Pounds, granted by the late King *Charles* the Second, to the poor Clergy of the *Isle of Man*; or to charge the Pensions or Salaries of His Majesty's Pages of Honour, or of the Officers and Persons employed or to be employed in collecting the Tolls and Duties payable by virtue of any Act or Acts of Parliament for making, repairing or maintaining any Public Roads, by reason of their said Offices or Employments, or any Salary arising thereby.

‘ XXXV. And whereas the Rents and Revenues belonging to the Residentiaries of the Cathedral Churches in *England* and *Wales* are chargeable to the Land Tax granted and made perpetual as aforesaid, and in some cases the Overplus of the said Rents and Revenues above such Tax, Repairs and other Charges, is to go in Shares for the Maintenance of the said Residentiaries, which Shares are diminished by the said Land Tax;’ it is hereby provided and enacted, That in such cases the said Residentiaries shall not by this Act, or any of the Clauses therein contained, be further chargeable as enjoying Offices of Profit out of the said Rents and Revenues; any thing herein contained to the contrary notwithstanding.

XXXVI. Provided always, and be it further enacted, That nothing in this Act contained, shall extend or be construed to extend, to charge or to authorize the deducting from or assessing any Person under any of the Provisions of this Act, upon any Annuity, Pension or Stipend paid to such Person on account of his having been or acted as a Minister or Resident at any Foreign Court.

XXXVII. Provided always, and be it further enacted, That nothing herein contained in relation to the said several Sums of Money charged as last aforesaid on Persons in respect of Public Offices or Employments of Profit, or Annuities, Pensions, Stipends or other Annual Payments before described, shall extend or be construed to extend to charge or to authorize the deducting from or assessing any Person in any case in which the Salary, Wages, Fees, Perquisites or Gratuities payable in respect of such Office or Employment of Profit, or in which the Annuity, Pension, Stipend or other annual Payment shall have been specially exempted from the Payment of any Aids or Taxes by any Act of Parliament, or in any case in which any Salary, Wages or Stipend of any Office or Employment, or any other Annual Payment which shall be payable to such Person in respect of such Office or Employment, or of his having held any such Office or Employment, shall by any Order of His Majesty in Council, or by any Warrant under His Majesty's

Superannuated  
Sea Officers, &c.  
not chargeable.

Residentiaries  
not chargeable in  
certain cases.

Pensions to Per-  
sons who have  
acted as Mini-  
sters, &c. at  
Foreign Courts  
not liable.

Duties not  
charged on Pen-  
sions, &c.  
exempted.

**Majesty's Royal Sign Manual**, or by any Order of the Commissioners of the Treasury, have been directed to be paid Nett or without Deduction, or in any case in which the Sums assessed on any such Salary, Wages, Stipend or Annual Payment shall by like Order of the Commissioners of the Treasury have been directed to be repaid or re-imbursed to the Person assessed out of any Part of the Public Revenue of *Great Britain*: Provided always, that the Authority for the Payment Nett or without Deduction, of the Salary, Wages, Stipend or Annual Payment, or the Repayment of the Duty assessed on the Salary, Wages, Stipend or Annual Payment aforesaid, shall be respectively certified by some principal Officer in the Department to which such Officer or Employment belongs, to be so paid Nett or without Deduction, or to be repaid out of the said Revenue. Proviso.

**XXXVIII.** Provided always, and be it further enacted, That no Stamp Duty shall be charged or chargeable for any Receipts given by any Receiver General of the Land Tax to any Collector for Payment of Money made by virtue of this Act, any Statute to the contrary thereof notwithstanding. Receipts not chargeable with Stamp Duty.

**XXXIX.** And whereas by the said Act passed in the Thirty eighth Year of the Reign of His present Majesty, intituled *An Act for making perpetual subject to Redemption and Purchase in the Manner therein stated, the several Sums of Money now charged in Great Britain as a Land Tax for One Year, from the Twenty fifth Day of March One thousand seven hundred and ninety eight (a)*, it was enacted, that the several Duties imposed on Sugar by Three Acts of the Twenty seventh, Thirty fourth and Thirty seventh Years of the Reign of His present Majesty, on Malt, by an Act made in the Twenty seventh Year of the Reign of His present Majesty, and the Duties of Excise on Tobacco and Snuff by an Act made in the Twenty ninth Year of the Reign of His present Majesty, should continue in force until the Twenty fifth Day of *March* One thousand seven hundred and ninety nine and no longer, but should from thenceforth cease and determine, unless the same should be specially continued by Parliament, which said several Duties were by an Act made and passed in the Thirty ninth Year of the Reign of His present Majesty, intituled *An Act for continuing and granting to His Majesty a Duty on Pensions, Offices and Personal Estates, in England, Wales and the Town of Berwick upon Tweed, and certain Duties on Sugar, Malt, Tobacco and Snuff, for the Service of the Year One thousand seven hundred and ninety nine*, further continued until the Twenty fifth Day of *March* One thousand eight hundred, and which by several subsequent Acts were further continued until the Twenty fifth Day of *March* One thousand eight hundred and eleven: And whereas by an Act passed in the Forty ninth Year of the Reign of His present Majesty, intituled *An Act for repealing the several Duties of Customs chargeable in Great Britain, and for granting other Duties in lieu thereof*, the said several Duties on Sugar were repealed, and other Duties granted on Sugar in lieu thereof: And whereas by another Act, passed in the Forty third Year of the Reign of His present Majesty, intituled *An Act to repeal the Duties of Excise payable in Great Britain, and to grant other Duties in lieu thereof*, 38 G. 3. c. 60.

39 G. 3. c. 3.

49 G. 3. c. 98.

43 G. 3. c. 69.

(a) [See 42 G. 3. c. 116. § 1.]

to be paid  
by the

... certain of the said Duties on Licences to be taken out by Dealers in Tobacco and Salt, and certain Duties on Tobacco, were repealed, and other Duties granted in lieu thereof; And whereas the said Duties granted by the said last recited Act, were continued until the Twenty fifth Day of March One thousand eight hundred and twelve: And whereas the said Duties on Sugar, and the said Duties on Malt, Tobacco and Snuff, together with the said Duties relating to Licences and Tobacco, were, by an Act

50 G. 3. c. 1.

Duties on Sugar, &c., continued.

passed in the Fifty second Year of the Reign of His present Majesty, further continued until the Twenty fifth Day of March One thousand eight hundred and thirteen; Be it further enacted, That the said several Duties on Sugar, Malt, Tobacco and Snuff, and the said Acts granting and continuing the same, and all the Provisions thereof, shall be and the same are hereby severally and respectively further continued from and after the Expiration of the time limited as aforesaid, until the Twenty fifth Day of March One thousand eight hundred and fourteen, and all Monies owing thereby which shall be paid into the said Receipt of the Exchequer, shall be entered separate and distinct from all other Monies paid and payable to His Majesty.

Monies paid into Exchequer entered separately

XL. And be it further enacted, That there shall be provided and kept in the Office of the Auditor of the Receipt of His Majesty's Exchequer, One Book of Register, in which all the Money that shall be paid into the Exchequer for the said Rates and Duties hereby granted on Sugar, Malt, Tobacco and Snuff; and also the Rates and Assessments hereby granted on Personal Estates, and on Offices and Employments of Profit, Pensions, Annuities and Stipends, hereinbefore mentioned, shall be entered and registered apart, and distinct from all other Monies paid and payable to His Majesty.

Sum to be raised by Treasury.

XLI. And be it further enacted, That it shall be lawful for the Commissioners of His Majesty's Treasury, at any time or times, to cause or direct any Number of Exchequer Bills to be made out at the Receipt of the Exchequer for any Sum or Sums of Money not exceeding in the Whole the Sum of Three Millions, in the same or like Manner, Form and Order, and according to the same or like Rules and Directions as are directed and prescribed in and by an Act made in the Forty eighth Year of the Reign of His present Majesty, intituled *An Act for regulating the issuing and paying off of Exchequer Bills.*

48 G. 3. c. 1.

48 G. 3. c. 1. applied to this Act.

XLII. 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, made in the Forty eighth Year of the Reign of His present Majesty, intituled *An Act for regulating the issuing and paying off of Exchequer Bills*, 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 said several Clauses or Provisoes had been particularly repeated and re-enacted in the Body of this Act.

Exchequer Bills to bear Interest.

XLIII. And be it further enacted, That the Exchequer Bills to be made out in pursuance of this Act, shall and may bear an Interest not exceeding the Rate of Four Pounds *per Centum per Annum* upon or in respect of the whole of the Monies respectively contained therein.

Bank authorised to advance a certain Sum on

XLIV. And be it declared and further enacted, That it shall be lawful for the Governor and Company of the Bank of England, to advance



admon or that to His Majesty, at the Receipt of the Exchequer upon the Credit of the Exchequer Bills, authorized by this Act, any Sum or Sums of Money, not exceeding in the Whole the Sum of Three Millions; any thing in this 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; and for securing certain Recompences and Advantages in this said Act mentioned to such Persons as shall voluntarily advance the Subsidy of One million five hundred thousand Pounds towards carrying on the War against France; or in any subsequent Act, to the contrary thereof in anywise notwithstanding.*

Credit of Act.  
5 & 6 W. & M. c. 20.

XLV. And it is hereby enacted; That the said Commissioners of the Treasury shall; and they are hereby respectively authorized and empowered to cause such Bills as shall be prepared by virtue of this Act, to be placed as: so much Cash in the respective Offices, of the Tellers of the said Receipt of Exchequer, each and every of which Tellers shall be severally charged with a Proportion of the said Bills which shall be so placed in his Office respectively; any Law or Usage to the contrary notwithstanding.

1712  
Bills placed as Cash in Exchequer;

XLVI. And it is hereby also enacted and declared; That the said Exchequer Bills in the Hands of the said Tellers shall be locked up, and secured as Cash, according to the Course of the Exchequer, and shall be taken and esteemed as so much in Part of the Remains, in Real Money, wherewith each of the said Tellers shall from time to time stand charged in common with other the Monies in the said Exchequer; any Law or Usage to the contrary notwithstanding; and that it shall be lawful for the said Commissioners of the Treasury to issue and apply the same from time to time to such Services as shall then have been voted by the Commons of the United Kingdom of Great Britain and Ireland in this present Session of Parliament.

issuable in common with other Monies.

XLVII. Provided always, and be it further enacted, That the Exchequer Bills to be made forth by virtue of this Act, together with the Interest that may become due thereon; and the Charges of exchanging and circulating the same, shall be and the same are hereby made chargeable and charged upon the Rates, Duties and Assessments, granted by this Act; and it shall be lawful for the Commissioners of the Treasury, and they are hereby authorized, from time to time, to direct to be issued to the said Paymasters by way of Imprest, and upon account, such Sums of Money, and at such Periods as the said Commissioners shall think necessary, for or towards paying off and discharging the Exchequer Bills which shall have been made forth by virtue of this Act, or any of them, and for and towards paying the Interest to become due on the said Bills, and for and towards the Charge of exchanging and circulating the same Bills, or any of them.

Exchequer Bills charged upon Duties granted by Act.

XLVIII. And be it further enacted by the Authority aforesaid, That on the Twenty fifth Day of March One thousand eight hundred and fourteen, or within Ten Days after, 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 cause a true and perfect Account in Writing, to be taken and certified by the proper Officers, of the Amount of all Exchequer Bills that shall have been issued by virtue of this Act, and

Account of Exchequer Bills taken.

how much thereof shall before that time have been paid off or discharged, and how much thereof shall then remain undischarged.

Money due on Exchequer Bills paid out of next Aids.

XLIX. And it is hereby enacted and declared by the Authority aforesaid, That the Monies so remaining unsatisfied or not discharged, with the Interest due or to grow due thereon, and the Charges of exchanging and circulating the same, shall be paid and satisfied out of the next Aid or Aids to be granted in Parliament, after the said Twenty fifth Day of *March* One thousand eight hundred and fourteen.

Surplus Monies carried to Consolidated Fund.

L. And be it further enacted, That the Surplus of the Monies arising from the Rates, Duties and Assessments, granted and imposed by this Act, after paying off and satisfying all the Exchequer Bills issued by virtue of this Act, together with the Interest that may become due thereon, and the Charges of exchanging and circulating the same, shall, as the Surplus of any such Monies respectively shall be paid into the Receipt of the Exchequer, be carried to and made Part of the Consolidated Fund.

Treasury to allow out of Consolidated Fund Charges of making forth new Exchequer Bills.

LI. Provided also, and it is hereby enacted by the Authority aforesaid, That the said Commissioners of His Majesty's 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 he or they are hereby enabled to pay and allow, or cause to be paid and allowed out of the Monies to arise of or for the said Rates and Duties hereby granted, or of or for the Consolidated Fund from time to time, the necessary Charges of making forth the new Exchequer Bills hereby authorized to be made forth, and such other Charges as shall be necessarily incident, in or for the Execution of this Act, or any Part thereof, in relation to the said Bills; any thing herein contained to the contrary notwithstanding.

Replaced out of First Supplies.

LII. Provided always, and be it enacted by the Authority aforesaid, That whatever Monies shall be issued out of the said Consolidated Fund, shall from time to time be replaced by and out of the First Supplies to be then after granted in Parliament; any thing herein contained to the contrary notwithstanding.

Act, &c. altered.

LIII. Provided always, and be it enacted, That this Act may be altered, varied or repealed by any Act or Acts of this present Session of Parliament

### C A P. XVI.

An Act for raising the Sum of Ten millions five hundred thousand Pounds, by Exchequer Bills, for the Service of *Great Britain* for the Year One thousand eight hundred and thirteen. [22d December 1812.]

“ TREASURY empowered to raise 10,500,000*l.* by Exchequer  
 “ Bills, in manner prescribed by 48 G. 3. c. 1.—§ 1, 2. Treasury to  
 “ apply the Money raised. § 3. Principal of said Bills charged on  
 “ first Supplies of next Session. § 4. Interest thereon of 3*d.* per  
 “ Cent. per Diem. § 5. Said Bills to be current at the Exchequer  
 “ after April 5, 1814. § 6. Bank of England empowered to ad-  
 “ vance 6,500,000*l.* on the Credit of this Act, notwithstanding  
 “ 5 & 6 W. & M. c. 20.—§ 7. Act may be altered, &c. this Session.  
 “ § 8.

## C A P. XVII.

An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters.

[23d March 1813.]

**W**HEREAS the raising or keeping a standing Army within the United Kingdom of *Great Britain and Ireland*, in time of Peace, unless it be with the Consent of Parliament, is against Law: And whereas it is judged necessary by His Majesty, and this present Parliament, that a Body of Forces should be continued for the Safety of the United Kingdom, the Defence of the Possessions of His Majesty's Crown, and that the whole Number of such Forces should consist of Two hundred twenty seven thousand four hundred and forty two effective Officers and Men including His Majesty's Forces serving in the *East Indies*: And whereas no Man can be forejudged of Life or Limb, or subjected in time of Peace to any Kind of Punishment within this Realm by Martial Law, or in any other manner than by the Judgment of his Peers, and according to the known and established Laws of this Realm; yet nevertheless, it being requisite for the retaining all the before mentioned Forces in their Duty, that an exact Discipline be observed, and that Soldiers who shall mutiny or stir up Sedition, or shall desert His Majesty's Service, be brought to a more exemplary and speedy Punishment than the usual Forms of the Law will allow; 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 who is or shall be commissioned or in Pay as an Officer, or who is or shall be listed or in Pay as a Non Commissioned Officer or Soldier, shall, at any time during the Continuance of this Act, begin, excite, cause or join in any Mutiny or Sedition in His Majesty's Land or Marine Forces, or shall not use his utmost Endeavours to suppress the same, or coming to the Knowledge of any Mutiny or intended Mutiny, shall not, without Delay, give Information thereof to his Commanding Officer; or shall misbehave himself before the Enemy; or shall shamefully abandon or deliver up any Garrison, Fortress, Post or Guard committed to his Charge, or which he shall be commanded to defend; or shall compel the Governor or Commanding Officer of any Garrison, Fortress or Post, to deliver up to the Enemy, or to abandon the same; or shall speak Words, or use any other means to induce such Governor, or Commanding Officer, or others, to misbehave before the Enemy; or shamefully to abandon or deliver up any Garrison, Fortress, Post or Guard committed to their respective Charge, or which he or they shall be commanded to defend; or shall leave his Post before relieved; or shall be found sleeping on his Post; or shall hold Correspondence with, or give Advice or Intelligence to any Rebel or Enemy of His Majesty, either by Letters, Messages, Signs or Tokens, in any manner or way whatsoever; or shall treat or enter into any Terms with such Rebel or Enemy, without His Majesty's Licence, or Licence of the General or Chief Commander; or shall strike or use any Violence against his superior Officer, being in the Execution of his Office; or shall disobey any lawful Command of his

Number of Forces, 227,442.

Officer or Private Man, deserting, &c.

found sleeping upon his Post, &c.

striking or disobeying superior Officer;

his superior Officer; or shall desert His Majesty's Service; and every Person and Persons so offending in any of the Matters before-mentioned, whether such Offence shall be committed within this Realm, or in any other of His Majesty's Dominions, or in Foreign Parts, upon Land, or upon the Sea, shall suffer Death, or such other Punishment as by a Court Martial shall be awarded

**Punishment.**

Soldiers enlisting in other Regiments, &c. deemed Deserters.

II. Provided always, and it is hereby declared and enacted, That no Non Commissioned Officer or Soldier who shall desert His Majesty's Service, shall be exempt from the Pains and Penalties imposed by this Act for such Offence, by again enlisting into His Majesty's Service; but any such Soldier shall, notwithstanding such subsequent Enlistment, be deemed to have deserted His Majesty's Service, and shall in like manner suffer Death, or such other Punishment as by a Court Martial shall be awarded.

Deserters enlisting in other Regiments, &c. Punishment.

III. And whereas Doubts have arisen, whether Soldiers, who of Right belong to Corps from which they have deserted, may be proceeded against and tried for deserting any other Corps in which they may afterwards have enlisted, or from His Majesty's Service, if they shall not after such subsequent enlisting have been placed in any Corps, or for any Crime committed by them whilst serving therein;

Deserters transported; Provision for Mages claimed.

Be it enacted by the Authority aforesaid, That every such Soldier shall be liable to be tried by a Court Martial, and punished in like manner as if he had originally enlisted in, and of Right belonged to the Regiment, Corps, Troop, Company, Detachment or Party, in which he shall be at the time of any subsequent Desertion, or committing any Offence, notwithstanding it shall have been discovered or known that he had previously belonged to some other Regiment, Corps, Troop or Company, Detachment or Party, and had not been discharged therefrom: Provided always, that if such Person shall be claimed by such other Regiment, Corps, Troop or Company, Detachment or Party, and be proceeded against as a Deserter therefrom, his subsequent Desertion from any One or more Corps in which he may have unwarrantably enlisted, may (unless he shall already have been tried for the same) be given in Evidence as an Aggravation of his Crime; previous Notice being always given to such Deserter of the Fact or Facts intended to be produced in Evidence upon his Trial.

Deserters transported; returning before Expiration of Term.

IV. And be it further enacted and declared, That in case of any Non Commissioned Officer or Soldier, tried and convicted of Desertion, whensoever the Court Martial which shall pass Sentence upon such Trial shall not think the Offence deserving of Capital Punishment, such Court Martial may, instead of awarding a Corporal Punishment, adjudge the Offender according to the Nature of the Offence, if they shall think fit, to be transported as a Felon for Life, or for a certain Term of Years: And if such Non Commissioned Officer or Soldier, having been adjudged to be transported as a Felon, shall afterwards (without Leave from His Majesty, or from the Governor or Commanding Officer of the Place to which he shall have been transported) return into or be found at large, without Leave as aforesaid, or other lawful Cause, within any Part of the United Kingdom of Great Britain and Ireland, or in any of His Majesty's Possessions Abroad, other than the Place to which he shall have been transported, before the Expiration of the Term limited by such Sentence, and shall be convicted thereof in the ordinary

ordinarily Course of the Law, such Person shall be deemed and adjudged guilty of Felony, and shall suffer Death as a Felon, without Benefit of Clergy.

V. Provided, and be it further enacted, That in all cases wherein a Capital Punishment shall have been awarded by a Court Martial, it shall be lawful for His Majesty, instead of causing such Sentence to be carried into Execution, to order the Offender to be transported as a Slave for Life, or for a certain Term of Years, as to His Majesty shall seem meet; and if the Person so transported, in pursuance of such Order from His Majesty, shall afterwards (without Leave from His Majesty, or from the Governor or Commanding Officer of the Place to which he shall have been transported) return into or be found at large, without Leave as aforesaid, or other lawful cause, within any Part of Great Britain, or Ireland, or in any of His Majesty's Possessions Abroad, other than the Place to which he shall have been transported, before the Expiration of the Term limited by such Order, and shall be duly convicted thereof, he shall suffer Death as a Felon, without Benefit of Clergy.

VI. And be it further enacted, That it shall be lawful for any General or General Regimental Court Martial to sentence any Non Commissioned Officer or Soldier, convicted of Desertion by such Court, to general Service as a Soldier, and that His Majesty may thereupon direct that such Service shall be in any Regiment or Regiments or Corps, and in any Country, or Place or Places, Abroad or otherwise, as he may think fit.

VII. Provided also, and be it further enacted, That if any Non Commissioned Officer or Soldier, so convicted of Desertion, shall appear to have enlisted for a limited Term of Years, it shall be lawful for such Court to sentence any such Non Commissioned Officer or Soldier so enlisted, to serve for Life as a Soldier, or for any Number of Years beyond the Period for which such Non Commissioned Officer or Soldier shall have enlisted in the Regiment in which he so enlisted, or generally in any Regiment or Corps which His Majesty shall please to direct; and any Non Commissioned Officer or Soldier may in any case, in addition to any Service, be further adjudged to forfeit all Benefit or Advantage as to Increase of Pay, or as to Pension or Discharge, which might otherwise have accrued to such Non Commissioned Officer or Soldier from the Length or Nature of his Service.

VIII. And be it further enacted, That it shall be lawful for any Court Martial, before which any Non Commissioned Officer or Soldier shall be tried and convicted of Desertion, to direct, if it shall so think fit, in addition to any other Punishment such Court may award for any such Desertion, that such Defeater be marked on the left Side, Two Inches below the Arm-pit, with the Letter (D.) such Letter not to be less than Half an Inch long, and to be marked upon the Skin with some Ink or Gunpowder, or other Preparation, so as to be visible and conspicuous, and not liable to be obliterated.

IX. And be it further enacted, That whenever His Majesty shall intend any Sentence of a Court Martial of Transportation to be carried into Execution, or shall be graciously pleased to extend his Mercy, upon Condition of Transportation, to any Offender liable to the Punishment of Death by the Sentence of a Court Martial, such Sentence, together with His Majesty's Pleasure upon the same, shall be

His Majesty, where Courts Martial award a Capital Punishment, they order the Offenders to be transported.

Defeater sentenced to serve as a Soldier in any Corps.

Defeater enlisted for a limited Term, sentenced to serve for Life, &c.

Mark to be affixed on Body of Defeaters.

Sentence of Transportation, &c. notified by Commander in Chief or Adjutant General to any Justice of K. B. &c. who

shall make Order  
for Transporta-  
tion, as by  
24 G. 3. sect. 2.  
c. 56. § 5.

be notified in Writing by the Commander in Chief for the time being of His Majesty's Forces in Great Britain, or in the Absence of the Commander in Chief, then by the Adjutant General for the time being, to any Justice of the King's Bench, Common Pleas, or Baron of the Exchequer, of the Degree of the Coif; and thereupon such Justice or Baron shall make an Order for the Transportation of such Offender, upon the Terms and for the time which shall be specified in such Notification, and shall also make such other Order or Orders, and do all such other Acts consequent upon the same, as any such Justice or Baron is authorized to make or do by an Act passed in the Twenty-fourth Year of His Majesty's Reign, intituled *An Act for the effectual Transportation of Felons and other Offenders; and to authorize the Removal of Prisoners in certain Cases; and for other Purposes therein mentioned*, with respect to Offenders in such Act mentioned, tried at any Court of Oyer and Terminer or Gaol-Delivery in England, as in the said Act mentioned; and such Order and Orders so to be made as aforesaid, and all such Acts as shall be so done as aforesaid, shall be obeyed and done by such Person in whose Custody such Offender shall at that time be, and all other Persons whom it may concern, and shall be as effectual and have all the same Consequences as any Order made under the Authority of the said Act, with respect to any Offender in the said Act mentioned; and every Sheriff, Gaoler, Keeper, Governor or Superintendant whom it may concern, and all Constables and other Persons, shall be bound to obey the aforesaid Order and Orders, be assistant in the Execution thereof, and be liable to the same Punishment for Disobedience or interrupting the Execution of the same, as they would be if the same had been made under the Authority of the aforesaid Act; and every Person so ordered to be transported as aforesaid, shall be subject respectively to all and every the Provision and Provisions made by Law, and now in force concerning Persons convicted of any Crime and sentenced to be transported, or receiving His Majesty's Pardon on Condition of Transportation.

Such Notification,  
and be it further enacted,  
That the Justice or Baron who shall make any such Order as aforesaid, under any such Notification of His Majesty's Pleasure as aforesaid, shall direct the said Notification, and his own Order made thereupon, to be filed in the Office of the Clerk of the Crown of His Majesty's Court of King's Bench, and to be there kept of Record; and the said Clerk of the Crown shall receive a Fee of Two Shillings and Six pence, and no more, for filing the same.

Who shall, on Application, deliver Certificate of Conviction.

XI. And be it further enacted, That the said Clerk of the Crown of His Majesty's Court of King's Bench shall, upon the Application of any such Offender who shall be ordered by His Majesty to be transported as aforesaid, or of any other Person applying on his Behalf, or on the Application of any Person on Behalf of His Majesty, deliver a Certificate in Writing under his Hand (not taking for the same more than Two Shillings and Six pence) containing an Account of the Christian Name and Surname of such Offender, of his Offence, of the Place where the Court was held, before whom he was convicted, and of the Terms and Conditions on which His Majesty's Order for such Offender's Transportation was given; which Certificate shall be sufficient Proof of the Conviction and Sentence of such Offender, and also of the Terms on which such Order

Order for his Transportation was given, in any Court, and in any Proceeding wherein it may be necessary to enquire into the same.

XII. Provided always, and be it further enacted, That, whenever any Sentence of Transportation passed by any Court Martial holden in the East Indies, or in His Majesty's Settlements of the Cape of Good Hope or Ceylon, or in any Settlement occupied by His Majesty's Forces beyond the Cape of Good Hope, is to be carried into Execution, or Mercy shall be extended to any Offender liable to the Punishment of Death by the Sentence of any such Court Martial, upon Condition of Transportation, the same shall be notified in Writing by the Officer commanding in Chief His Majesty's Forces in India, or in the Absence of the Officer commanding in Chief, then by the Adjutant General for the time being, to some Judge of One of the Supreme Courts of Judicature of the Presidencies of Fort William, Fort Saint George or Bombay, or the Chief Justice or other Judge at the Island of Ceylon or the Cape of Good Hope, or any such other Settlement as aforesaid, and thereupon such Judge shall make an Order for the Transportation of such Offender, upon the Terms said for the time which shall be specified in such Notification, and shall also make such other Order or Orders, and do all such other Acts consequent upon the same, as any such Judge is authorized to make or do under an Act passed in a Parliament holden in the Thirty ninth and Fortieth Years of His Majesty's Reign, intituled *An Act for establishing further Regulations for the Government of the British Territories in India, and the better Administration of Justice within the same*, with respect to Offenders ordered to be transported by Sentence of the Criminal Courts in India, and the Governor and Council of such Presidency respectively shall and they are hereby required to take Order for the Transportation of all such Offenders accordingly.

XIII. And be it further enacted, That if any Offender under Sentence of Death by a Court Martial as aforesaid, shall obtain His Majesty's conditional Pardon as aforesaid, all and every the Laws now in force, touching the Escape of Felons under Sentence of Death, shall apply to such Offender, and to all Persons aiding, abetting or assisting in any Escape, or intended Escape of any such Offender, or contriving any such Escape from the time when such Order shall be made by such Justice or Baron as aforesaid, and during all the several Proceedings which shall be had for the Purposes aforesaid.

XIV. And be it further enacted by the Authority aforesaid, That His Majesty may, from time to time, grant a Commission, under the Royal Sign Manual, for the holding of General Courts Martial within the United Kingdom of Great Britain and Ireland, in like manner as has been heretofore used; and that His Majesty may likewise, from time to time, by his Royal Commission, empower the Chief Governor or Governors of that Part of the United Kingdom of Great Britain and Ireland called Ireland, the Governor of Gibraltar, and the Governor of any of His Majesty's Dominions beyond the Seas respectively, or the Person or Persons there commanding in Chief His Majesty's Forces for the time being; and may also from time to time extend His Royal Warrant to the Commander of the Forces in that Part of the said United Kingdom called Ireland, and to any General or other Officer having the Command of

Sentence of Transportation in India, &c. notified by Officer commanding in Chief to some Judge of Supreme Courts, who shall make Order for Transportation as by 39 & 40 G. 3. c. 79. § 13.

Offenders under Sentence of Death obtaining conditional Pardon, subject to Laws of Escape, &c.

King may grant Commission for holding Courts Martial, &c.

a Body

a Body of His Majesty's Forces within the United Kingdom of Great Britain and Ireland, or in any of His Majesty's Dominions, or elsewhere beyond the Seas, or to the General or other Officer commanding such Body of Forces for the time being, empowering them respectively to appoint General Courts Martial, as well as to authorize any Officer under their respective Command, not below the Degree of a Field Officer, to convene General Courts Martial, on Occasion may require, for the Trial of Offences committed by any of their Forces under their several Command, whether the same shall have been so committed before or after such General Officer shall have taken upon himself such Command; all which Courts Martial shall be constituted, and shall regulate their Proceedings according to the several Provisions hereinafter specified.

Second Trial for  
same Offence.

XV. Provided always, and be it hereby declared and enacted, That no Officer or Soldier, being acquitted or convicted of any Offence, shall be liable to be tried a Second time by the same or any other Court Martial for the same Offence, unless in the case of an Appeal from a Regimental to a General Court Martial; and that no Sentence given by any Court Martial, and signed by the President thereof, shall be liable to be revised more than once.

Ordinary Pro-  
ceedings.

XVI. Provided always, That nothing in this Act contained shall extend or be construed to exempt any Officer or Soldier whatsoever from being proceeded against by the ordinary Course of Law.

Persons accused  
of Capital  
Crimes, &c. de-  
livered over to  
Civil Magistrate,  
&c.

XVII. Provided also, That if any Officer, Non Commissioned Officer, or Soldier, 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 Commanding Officer and Officers of every Regiment, Troop, Company or Party, is and are hereby required to use his and their utmost Endeavours to deliver over such accused Person 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 Commanding Officer shall wilfully neglect or refuse, upon Application made to him for that Purpose, to deliver over any such accused Person to the Civil Magistrate, or to be aiding or assisting to the Officers of Justice in apprehending such Offenders; every such Officer so offending, and being thereof convicted, upon any Information or Indictment in any of His Majesty's Courts of Record at Westminster, or in any of His Majesty's Courts in Scotland or in Dublin, shall be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to have or hold any Civil or Military Office or Employment within the United Kingdom of Great Britain and Ireland, or in His Majesty's Service, and a Certificate thereof shall be transmitted to the Judge Advocate in London, if such Conviction shall be in Great Britain, or to the Judge Advocate in Dublin, if such Conviction shall be in Ireland.

Persons acquit-  
ted, &c. by  
Civil Magistrate,  
cashiered.

XVIII. Provided also, That no Person or Persons, being acquitted or convicted of any capital Crimes, Violences or Offences, by the Civil Magistrate, shall be liable to be punished by a Court Martial for the same, otherwise than by cashiering.

Officers and  
Soldiers impris-  
oned upon

XIX. And be it further enacted, That no Officer, Non Commissioned Officer or Soldier who shall be arrested and committed to Prison upon a Charge of any criminal Offence, shall receive any Part



Part of his Pay from the Day of such Commitment till the Day of his Return to the Regiment, Troop or Company to which he shall belong, provided that if he shall be acquitted of the Offence for which he was committed, he shall upon his Return to his Corps be entitled to receive all Arrears of Pay which were growing due during the time of his Confinement; but if he shall be convicted he shall forfeit all Right to any Pay from the Day of his Commitment during the time of his Confinement, as well under the original Commitment as under any Commitment consequent upon such Conviction, and until the Day of his Return to the Regiment, Troop or Company to which he shall belong; Provided always, that it shall be lawful for the Secretary at War for the time being, or if in *Ireland* the Chief Secretary, or in his Absence the Under Secretary for the Military Department, to order the Issue and Payment to any such Officer, Non Commissioned Officer or Soldier, during any such Commitment or Imprisonment, or either of them, or any Part thereof, of the Pay of any such Officer, Non Commissioned Officer or Soldier, or of any Proportion of such Pay, or of any Arrears thereof, either during such Commitment or Imprisonment, or after the Discharge of such Officer, Non Commissioned Officer or Soldier, after Conviction or otherwise, as shall appear to the Secretary at War, or if in *Ireland* to such Chief or Under Secretary as aforesaid, to be proper, and the Order of the Secretary at War, or such Chief or Under Secretary in *Ireland* as the case may require, for the Payment of such Pay or Arrears shall be a sufficient Discharge for such Payment.

XX. And it is hereby further enacted and declared, That all General Courts Martial held under the Authority of this Act shall consist of Thirteen or Nine Commissioned Officers, as the case may require; except the same shall be holden upon any Officer, Non Commissioned Officer or Private Soldier of His Majesty's Forces, which shall be serving in any Place beyond the Seas out of His Majesty's Dominions, or out of any of the Settlements belonging to the United Company of Merchants of *England* trading to the *East Indies*; in which cases any General Court Martial may consist of any Number not less than Seven, and except the same shall be holden in *Africa* or in *New South Wales*, in which Places such General Courts Martial may consist of any Number not less than Five; of whom none shall be under the Degree of a Commission Officer; nor shall the President of any General Court Martial be the Officer commanding in Chief, or Governor of the Garrison where the Offender shall be tried, nor under the Degree of a Field Officer, unless where a Field Officer cannot be had; nor in any case whatsoever under the Degree of a Captain.

XXI. Provided always, and be it further enacted, That no General Court Martial for the Trial of any Officer (except the same shall be holden in any Place beyond the Seas out of His Majesty's Dominions, and out of any of the Settlements belonging to the United Company of Merchants of *England* trading to the *East Indies*, or in *Africa* or *New South Wales*) shall consist of less than Thirteen Members.

XXII. Provided always, and be it further enacted, That no General Court Martial, consisting of any less Number than Thirteen Commissioned Officers, unless holden in any Place beyond the

Charge of Criminal Offence, to receive no Pay during Confinement, Arrears in what case on Return to their Corps. Convicted, to forfeit all Pay during Confinement.

General Court-Martial; Number of Members.

Sentence of Soldier to Loss of Life, &c.

Seas.

Seas out of His Majesty's Dominions, or out of any of the Settlements belonging to the United Company of Merchants of England trading to the *East Indies* or in *Africa* or *New South Wales* as aforesaid, shall sentence any Non Commissioned Officer or Soldier to Loss of Life or Limb, or Transportation.

Courts Martial inflicting Corporal Punishment, &c. for Immoralities, &c.

XXIII. Provided always, and be it further enacted, That it shall be lawful for any such General Courts Martial, or General Regimental Courts Martial, by their Sentence or Judgment to inflict Imprisonment or Corporal Punishment, not extending to Life or Limb, as such Court shall think fit, on any Soldier for Immoralities, Misbehaviour or Neglect of Duty.

May sentence Non Commissioned Officers or Soldiers to Imprisonment in House of Correction, &c.

XXIV. Provided always, and be it further enacted, That it shall be lawful for any General or other Court Martial, to sentence any Non Commissioned Officer or Soldier to Imprisonment in any House of Correction, Common Gaol or public Prison, or in any other Place which such Court may deem fit and convenient for that Purpose; and all Gaolers and Keepers of such Houses of Correction or Prisons shall receive into their Custody, and keep in Confinement for such time as they shall be respectively required to do, or until discharged, any Non Commissioned Officer or Soldier who may have been sentenced to Imprisonment by any General or other Court Martial, and shall provide a proper Place for the Confinement of any such Non Commissioned Officer or Soldier, according to the Sentence of such Court during the Period of his Imprisonment, upon receiving an Order, in Writing, from the Commanding Officer of the District within which such General Court Martial shall have been held, or from the Commanding Officer of any Regiment or Corps to which such Non Commissioned Officer or Soldier is tried by any Regimental Court Martial as aforesaid shall belong; and every such Gaoler or Keeper of any such House of Correction shall, upon receiving any Order, in Writing, from any such Commanding Officer as aforesaid, deliver any such Non Commissioned Officer or Soldier, to any Person, on producing such Order, although the Period for which he was originally sent to such Gaol or House of Correction shall not have expired; and every Gaoler and Keeper of a House of Correction or Prison, who shall refuse to receive and to confine any such Non Commissioned Officer or Soldier in manner as aforesaid, shall forfeit for every such Offence the Sum of One hundred Pounds to be recovered by Action of Debt or Information for the Use of His Majesty.

Gaolers refusing to receive them.

Penalty.

Such Non Commissioned Officers and Soldiers to forfeit their Pay.

XXV. And be it further enacted, That every Non Commissioned Officer or Soldier sentenced to Imprisonment by any General or other Court Martial shall forfeit all Right to any Pay from the Day of his Commitment during the time of such Imprisonment; and also, that during the Continuance of any Imprisonment in any Gaol or House of Correction, the Gaoler or Keeper of such Prison or House of Correction in *Great Britain*, and in *Ireland* the Inspector under whose immediate Inspection such House of Correction, Gaol, or Prison, shall be, shall receive and apply in the Maintenance of such Non Commissioned Officer or Soldier the Sum of Nine pence *per Diem* out of the Subsistence of such Non Commissioned Officer or Soldier during the time that such Non Commissioned Officer or Soldier shall continue in Custody, which said Sum the Secretary at War in *Great Britain*, and in *Ireland* the Chief Secretary to the Lord Lieutenant, or other Chief Governor, or in his Absence the Under Secretary for the

Allowance to Gaolers, &c.

the Military Department, is hereby authorized and required to cause to be paid to the said Gaoler or Keeper, or Inspector respectively as aforesaid, upon receiving an Application in Writing signed by any Justice of the Peace for the County or Riding in which such Gaol, Prison or House of Correction shall be locally situate, together with a Copy of the Order under which the said Non Commissioned Officer or Soldier was confined: Provided always that it shall be lawful for the Secretary at War, or for such Chief Secretary as aforesaid, or in his Absence for the Under Secretary for the Military Department for the time being, if he should think fit, to order the Issue and Payment of any Arrears of Pay, or of the Sums of such Pay, or any Portion thereof, or of any Arrears thereof, to or on Account of such Non Commissioned Officer or Soldier, during or after the Expiration of the Period of his Imprisonment.

XXVI. And be it further enacted, That all General and other Courts Martial shall have Power and Authority, and are hereby required to administer an Oath to every Witness, in order to the Examination or Trial of any of the Offences that shall come before them.

XXVII. Provided always, and be it further enacted, That in all Trials by General Courts Martial, to be held by virtue of this Act, every Member assisting at such Trial, before any Proceedings be had thereupon, shall take the following Oaths upon the Holy Evangelists, before the Judge Advocate, or his Deputy (who are hereby authorized to administer the same); that is to say,

**YOU** shall well and truly try and determine, according to your Evidence in the Matter now before you. So help you GOD?

**I A. B.** do swear, That I will duly administer Justice, according to the Rules and Articles for the better Government of His Majesty's Forces, and according to an Act of Parliament now in force for the Punishment of Mutiny and Desertion, and other Crimes therein mentioned, without Partiality, Favour or Affection; and if any Doubts shall arise (which is not explained by the said Articles or Act of Parliament), according to my Conscience, the best of my Understanding, and the Custom of War in the like cases: And I further swear, That I will not divulge the Sentence of the Court until it shall be approved by His Majesty, or by some Person duly authorized by Him; neither will I, upon any Account, at any time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court Martial unless required to give Evidence thereof as a Witness, by a Court of Justice, or a Court Martial in a due Course of Law. So help me GOD.

And so soon as the said Oaths shall have been administered to the respective Members, the President of the Court is hereby authorized and required to administer to the Judge Advocate, or the Person officiating as such, an Oath in the following Words:

**I A. B.** do swear, That I will not upon any Account, at any time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court Martial, unless required to give Evidence thereof, as a Witness, by a Court of Justice or a Court Martial, in a due Course of Law. So help me GOD?

And no Sentence of Death shall be given against any Offender in such case by any General Court Martial unless Nine Officers present shall

Proviso

Courts Martial may administer Oath to Witnesses.

Officers sworn.

Oaths by Members of General Court Martial.

Judge Advocate sworn.

Oath.

In Sentences of Death, what Number of Officers

Secrets shall con-  
cur, &c.

shall concur therein; (except such General Court Martial shall be holden in any Place beyond the Seas out of His Majesty's Dominions, or out of any of the Settlements belonging to the United Company of Merchants of England trading to the East Indies, or in Africa, or in New South Wales, as aforesaid;) and in all cases where a Court Martial shall consist of more Officers than Thirteen, and also in any Place beyond the Seas out of His Majesty's Dominions, or out of any of the Settlements belonging to the United Company of Merchants of England trading to the East Indies, or in Africa and in New South Wales as aforesaid, when the same shall consist of a lesser Number of Officers, then such Judgment shall pass by the Concurrence of Two thirds at the least of the Officers present; and no Proceeding or Trial shall be had upon any Offence, but between the Hours of Eight of the Clock in the Morning and Three in the Afternoon, except in cases which require an immediate Example: Provided also, that all Witnesses duly summoned by the Judge Advocate, or the Person officiating as such, shall during their necessary Attendance in such Courts, and in going to and returning from the same, be privileged from Arrest in like manner as Witnesses attending any of His Majesty's Courts of Law are privileged; and that if any such Witness shall be audibly arrested, he shall be discharged from such Arrest by the Court out of which the Writ or Process issued by which such Witness was arrested; or if the Court out of which the Writ or Process issued be not sitting, then by any Judge of the Court of King's Bench in London or in Dublin, or Court of Sessions in Scotland, or Courts of Law in the West Indies, according as the case shall require, upon its being made appear to such Court or Judge, by Affidavit in a summary way, that such Witness was arrested in going to or returning from, or attending upon such Court Martial; and that all Witnesses so duly summoned as aforesaid, who shall not attend on such Courts, shall be liable to be attached in the Court of King's Bench in London or Dublin, or Court of Sessions in Scotland, or Courts of Law in the West Indies respectively, upon Complaint made to the said Courts of King's Bench, or Court of Sessions in Scotland, or Courts of Law in the West Indies, in like manner as if such Witness had neglected to attend on a Trial in any Criminal Proceeding in that Court.

Hours of Trial.

Witnesses at-  
tending Courts  
Martial privi-  
leged from  
Arrest.

Witnesses not  
attending at-  
tached.

Proceedings in  
Trials by Courts  
Martial other  
than General  
Courts Martial.

XXVIII. Provided also, and be it further enacted, That in all Trials by any Courts Martial, other than General Courts Martial, which shall be held by virtue of this Act, or of any Articles of War established by His Majesty in pursuance thereof, every Member assisting at such Trial, before any Proceedings be had thereupon, shall take the following Oaths upon the Holy Evangelists (which Oaths shall and may be administered by the President of the Court to the other Members thereof, and to the President by any Member, having first taken the said Oaths); that is to say,

Oaths taken by  
Members of  
Courts Martial.

‘ YOU shall well and truly try and determine, according to your Evidence in the Matter now before you. So help you GOD.’

‘ I A. B. do swear, That I will duly administer Justice, according to the Rules and Articles for the better Government of His Majesty's Forces, and according to an Act of Parliament now in force for the Punishment of Mutiny and Desertion, and other Crimes therein mentioned, without Partiality, Favour or Affection; and if  
‘ any

any Doubt shall arise, which is not explained by the said Articles, or Act of Parliament, according to my Confidence, the best of my Understanding, and the Customs of Wars in the like cases, to the Honour of our said Majesty, GOD.

And the President of every such Court-Martial (not being under the Rank of a Captain) shall be appointed by the Commanding Officer of the Regiment, Detachment, or Brigade, or the Governor or Commander of the Garrison, Fort, Castle or Barrack, distributing such Court-Martial.

XXXIX. And whereas it may be expedient, in certain cases, and particularly in such Matters wherein any of His Majesty's Marine Forces may be interested, that Officers of the Marine should be associated with Officers of the Land Forces, for the Purpose of holding Courts Martial: Be it enacted and declared, That when and as often as it may be necessary, it shall and may be lawful for Officers of the Land and Marine Forces to sit in Conjunction upon Courts Martial, and to proceed in the Trial of any Officer or Soldier of the Land Forces in like manner, to all Intents and Purposes, as if such Courts Martial were composed of Officers of the Land Forces only; and the Officers of the Land and Marine Forces are in such cases to take Rank according to the Seniority of their Commissions in either Service.

XXX. And whereas it may also be expedient that Officers of His Majesty's Land Forces, when employed in Conjunction with Officers in the Service of the United Company of Merchants of England trading to the East Indies, should in certain cases be associated for the Purpose of holding Courts Martial: Be it enacted and declared, That when and as often as there may be Occasion it shall and may be lawful for Officers of His Majesty's Land Forces, and of the Forces in the Service of the United Company of Merchants of England trading to the East Indies, to sit in Conjunction at Courts Martial, and to proceed in the Trial of any Officer or Soldier, in like manner, to all Intents and Purposes, as if such Courts Martial were composed of Officers of His Majesty's Land Forces, or of Officers in the Service of the said United Company only; with this Distinction, that upon the Trial of any Officer or Soldier of His Majesty's Land Forces, regard shall be had to the Regulations and Provisions made by or in pursuance of this Act; and the Oaths administered to the several Members of the Court Martial shall be in the Terms by this Act prescribed; and upon the Trial of any Officer or Soldier in the Service of the said United Company, regard shall be had to the Regulations and Provisions made by or in pursuance of an Act passed in the Twenty seventh Year of the Reign of His late Majesty King George the Second, intitled *An Act for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the United Company of Merchants of England trading to the East Indies; and for the Punishment of Offences committed in the East Indies, or at the Island of Saint Helena; and the Oaths administered to the several Members of the Court Martial shall be in the Terms prescribed by the same Act.*

XXXI. Provided always, and be it enacted, That the Party tried by any General Court Martial within Europe (except in the Garrison of Gibraltar), shall be entitled to a Copy of the Sentence and Proceedings of such Court Martial, upon Demand thereof made by himself, or by any other Person or Persons on his Behalf: (he or they

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28 100

Appointment of  
President.

Officers of Land  
and Marine  
Conjunction  
upon Courts  
Martial; Rank.

Officers of the  
King's Forces  
and Officers in  
the Service of  
the United  
Company of  
Merchants  
in Conjunction  
at Courts Mar-  
tial, &c.

27 G. 2. c. 9.

Party entitled to  
a Copy of the  
Sentence and  
Proceedings of  
Courts Martial.

paying reasonably for the same), at any time not sooner than Three Months after such Sentence; and in case of Trials by any General Court Martial at *Gibraltar*, at any time not sooner than Six Months after the Sentence given by such Court Martial; and in the case of Trials by any General Court Martial in His Majesty's other Dominions beyond the Seas, or in Foreign Parts, at any time not sooner than Twelve Months after the Sentence given by such Court Martial, whether such Sentences be approved or not; any thing in this Act to the contrary notwithstanding.

Proceedings, &c. of Courts Martial transmitted to Judge Advocate General, &c.

XXXII. Provided also, and be it enacted by the Authority aforesaid, That every Judge Advocate, or Person officiating as such at any General Court Martial, do, and he is hereby required to transmit, with as much Expedition as the Opportunity of time and Distance of Place can admit, the original Proceedings and Sentence of such Court Martial to the Judge Advocate General in *London*, unless such Court Martial shall have been appointed in *Ireland*, in which case they shall be transmitted to the Judge Advocate General for that Part of the United Kingdom in *Dublin*; and the said original Proceedings and Sentences are to be carefully kept and preserved in their respective Offices, to the end that the Persons entitled thereto may be enabled, upon Application to such Offices respectively, to obtain Copies thereof, according to the true Intent and Meaning of this Act.

Stamp Duties.

XXXIII. Provided also, and be it further enacted and declared, That none of the Proceedings of any General or Regimental Court Martial, nor any Entry or Copy thereof, shall be charged or chargeable with any Stamp Duty whatsoever; any thing contained in any former Act or Acts to the contrary notwithstanding.

His Majesty empowered to make Articles of War.

XXXIV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for His Majesty to form, make and establish Articles of War, for the better Government of His Majesty's Forces, which Articles shall be judicially taken Notice of by all Judges, and in all Courts whatsoever.

Copies of Articles of War transmitted to Judges, &c.

XXXV. And, for the more effectual Notification thereof to the several Judges and Persons hereinafter mentioned, be it further enacted by the Authority aforesaid, That Copies of all such Articles of War, printed by the King's Printer, shall from time to time, as soon as conveniently may be after the same shall have been made and established by His Majesty, be transmitted by His Majesty's Secretary at War for the time being, signed with his own Hand and Name, to the Judges of His Majesty's superior Courts at *Westminster*, *Dublin* and *Edinburgh* respectively, and also to the Governors of His Majesty's Colonies, Plantations and Territories abroad.

His Majesty to constitute and to authorize others to convene Courts Martial.

XXXVI. And be it further enacted by the Authority aforesaid, That, for bringing Offenders against such Articles of War to Justice, it shall be lawful for His Majesty to create and constitute Courts Martial, as well as to grant His Royal Commissions or Warrants, to the Persons and in the manner hereinbefore mentioned and expressed, for convening and authorizing others to convene Courts Martial, with Power to try, hear and determine any Crimes or Offences by such Articles of War, and to inflict Penalties by Sentence or Judgment of the same, as well within the United Kingdom of *Great Britain* and *Ireland*, in *Jersey*, *Guernsey*, *Alderney*, *Sark* or *Man*, and the Islands thereto belonging, as in His Majesty's Garrison of *Gibraltar*, and in

any

any of His Majesty's Dominions beyond the Seas, or elsewhere beyond the Seas.

XXXVII. Provided always, That no Person shall, by such Offences of War, be subjected to any Punishment extending to Life or Limb, within the United Kingdom of Great Britain and Ireland, Jersey, Guernsey, Alderney, Sark or Man, or any of the Isles thereto belonging, for any Crime which is not expressed to be so punishable by this Act; nor for such Crimes as are expressed to be so punishable, in any manner, or under any Regulations, which shall not accord with the Provisions of this Act.

None adjudged of Life or Limb but for Crimes expressed to be so punishable.

XXXVIII. Provided also, and be it further enacted, That if any Officer or Soldier shall, in any of His Majesty's Dominions beyond the Seas, or elsewhere beyond the Seas, commit any of the Offences for which he may be liable to be tried by Courts Martial by virtue of this Act, and shall come or be brought into this Realm, or into Jersey, Guernsey, Alderney, Sark or Man, or the Islands thereto belonging, before he be tried by a Court Martial for such Offence; such Officer or Soldier shall be tried and punished for the same, as if the said Offence had been committed within this Realm.

Officers beyond Sea, &c. tried here, &c.

XXXIX. And whereas it is of essential Importance, as well to the due Observance of public Economy, as to the Discipline of His Majesty's Forces, that they should be regularly mustered, and that the Musters should be taken with the strictest Accuracy and Exactness; Be it enacted by the Authority aforesaid, That Musters shall be made, had or taken, of every Regiment, Troop or Company, in His Majesty's Service, Twice at the least in every Year, at such times as shall be appointed.

Musters Twice a Year.

XI. And be it further enacted, That no Commissary shall muster any Regiment, Troop or Company, within the City of Westminster, and Borough of Southwark, and Liberties thereof, but in the Presence of Two or more Justices of the Peace, not being Officers of the Army, under the Penalty of Fifty Pounds, and of being discharged from his Office, unless such Justices upon Forty eight Hours' Notice being given to Six of His Majesty's Justices of the Peace residing within the City and Liberties aforesaid respectively, shall neglect to attend such Muster; and in case of such Neglect, such Commissary may proceed to muster such Regiment, Troop or Company; provided that Oath be made before any of His Majesty's Justices of the Peace within Forty eight Hours after such Muster taken, that such Notice was given to Six Justices of the Peace as aforesaid, which Justices so attending are hereby empowered to sign the said Muster Rolls, and to take Cognizance of such Muster, and to examine the Truth thereof before they sign the same.

No Muster in Westminster, &c. but in Presence of Two or more Justices. Penalty.

XLI. And, for preventing of Fraud and Deceit in the mustering of Soldiers, be it further enacted by the Authority aforesaid, That if any Person do make or give, or procure to be made or given, any false or untrue Certificate, whereby to excuse any Soldier for his Absence from any Muster, or any other Service which he ought to attend or perform; upon Pretence of being employed on some other Duty of the Regiment, or of Sickness, being in Prison, or on Furlough; then every such Person, so making, giving or procuring such Certificate, shall, for every such Offence, forfeit the Sum of Fifty Pounds, and shall be forthwith cashiered and displaced from his Office, and shall be thereby utterly disabled to have or hold any

Giving false Certificates to excuse Soldiers from Musters.

Penalty.

**Military Office or Employment within this Realm, or in His Majesty's Service; and no Certificate shall excuse the absence of any Soldier but for the Reasons above mentioned or one of them.**

Officers making  
false Musters,  
&c.

**XLII.** And be it further enacted by the Authority aforesaid, That every Officer that shall make any false or untrue Muster of Man or Horse, and every Commissary, Muster Master or other Officer, who shall wittingly or willingly allow or sign the Muster Roll, wherein such false Muster is contained, or any Duplicate thereof; and also every Commissary, Muster Master or other Officer, who shall directly or indirectly take, or cause to be taken, any Sum or Sums of Money, or any other Gratuity, on or for the mustering any Regiment, Troop or Company, or on or for the signing of any Muster Rolls, or any Duplicate thereof, upon Proof thereof upon Oath made by Two Witnesses before a General Court Martial, to be thereupon called (which is hereby authorized and required to administer such Oath), shall, for such Offence, be forthwith cashiered and displaced from such his Office, and shall be thereby utterly disabled to have or hold any Civil or Military Office or Employment within the United Kingdom of *Great Britain and Ireland*, or in His Majesty's Service.

Punishment.

Officers muster-  
ing Persons by  
wrong Names.  
Penalty.

**XLIII.** And it is enacted, That if any Officer or Commissary shall muster any Person by a wrong Name knowingly, upon Conviction thereof, before a General Court Martial, the said Officer or Commissary shall suffer such Penalties, and in such manner as is directed and inflicted by this Act upon those who shall make false Musters.

Persons offering  
themselves to be  
falsely mustered.

**XLIV.** And be it further enacted by the Authority aforesaid, That if any Person shall be falsely mustered, or offer himself falsely or deceitfully to be mustered, upon Proof thereof made upon Oath by Two Witnesses, before any Justice of the Peace for the County residing near the Place where such Muster shall be made, and upon Certificate thereof in Writing, under the Hand of the Commissary of the Musters, or Muster Masters as aforesaid, made to such Justice of the Peace, the said Justice is hereby authorized and required to commit such Offender to the House of Correction, there to remain for the Space of Ten Days: And if any Person shall wittingly or willingly lend or furnish any Horse to be mustered, which shall not truly belong to the Trooper or Troop so mustered, the said Horse so falsely mustered shall be forfeited to the Informer, if the same doth belong to the Person lending or furnishing the said Horse; or otherwise the Person lending or furnishing the said Horse shall forfeit the Sum of Twenty Pounds, upon Oath made by Two Witnesses, before some Justice of the Peace residing near to the Place where such Muster shall be made; which Twenty Pounds shall 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 so offending, rendering the Overplus (if any be) to the Owner: And in case such Offender shall not have sufficient Goods and Chattels whereon Distress may be made, to the Value of the Penalty to be recovered against him, or shall not pay such Penalty within Four Days after such Conviction; then, and in such case, such Justice of the Peace shall and may, by Warrant under his Hand and Seal, either commit such Offender to the Common Gaol, there to remain without Bail or Mainprize for the Space of Three Months, or cause such Offender

Punishment.

Horses falsely  
mustered.

Penalty.

How levied.

Imprisonment.



to be publicly whipped, at the Discretion of such Justice; and the said Forfeiture shall be given or paid to such Person or Persons that shall give Information thereof; and the said Informer or Informers, if belonging to the Service, shall have a Right to be discharged forthwith, if he or they shall demand the same.

Soldiers giving Information of false Musters entitled to Discharge.

**XLV.** And be it further enacted by the Authority aforesaid, That in *Great Britain* the Deputy or Deputies of the Commissary General shall, upon every Half-yearly Muster taken by him or them respectively of any Regiment, Troop or Company, in His Majesty's Service at any Place Ten Miles distant from *London*, close the Muster Rolls of the said Regiment, Troop or Company, within Twenty four Hours after such Muster shall have been made; and shall return the Rolls so taken by the Post or other safe Conveyance, within Seven Days after their being closed, to the Office of the Commissary General of Musters, who shall, and he is hereby directed and required to transmit One set of every of the said Rolls to the Secretary at War, One to the Paymaster General of His Majesty's Land Forces, and One to the Comptroller of the Accounts of the Army, on or before the First Day of *May*, and Twenty ninth Day of *September*, respectively following such Half-yearly Muster: And no Alterations or Indorsements shall be made in or upon the said Muster Rolls, other than in the case of Orders of Leave or Dates of Commissions, and other than involuntary Errors or literal Mistakes in writing or transcribing the said Muster Rolls, upon Pain of forfeiting their respective Employments, and the Sum of Twenty Pounds to any Person that will sue for the same, for every such Offence.

Muster Rolls Ten Miles distant from *London*, closing, returned to Commissary General of Musters, &c.

Penalty.

**XLVI.** And whereas, by the *Petition of Right*, in the Third Year of King *Charles* the First, it is enacted and declared, that the People of the Land are not by the Laws to be burthened with the sojourning of Soldiers against their Wills; and by a Clause in an Act of the *British* Parliament, made in the One and thirtieth Year of the Reign of King *Charles* the Second, for granting a Supply to His Majesty of Two hundred and six thousand four hundred sixty two Pounds Seventeen Shillings and Three pence, for paying and disbanded the Forces, it is declared and enacted, that no Officer, Civil or Military, nor other Person whatsoever, should from thenceforth presume to place, quarter or billet, any Soldier or Soldiers upon any Subject or Inhabitant of this Realm, of any Degree, Quality or Profession whatsoever, without his Consent; and that it shall and may be lawful for any Subject, Sojourner or Inhabitant, to refuse to quarter any Soldier or Soldiers, notwithstanding any Demand or Warrant or Billeting whatsoever: But so far as at this time, and during the Continuance of this Act, there is and may be Occasion for the marching and quartering of Regiments, Troops and Companies, in several Parts of the United Kingdom of *Great Britain* and *Ireland*; Be it further enacted by the Authority aforesaid, That, for and during the Continuance of this Act, and no longer, it shall and may be lawful to and for the Constables, Tithingmen, Headboroughs and other Chief Officers and Magistrates of Cities, Towns and Villages and other Places within *England*, *Wales* and the Town of *Berwick upon Tweed*, and in their Default or Absence, for any One Justice of the Peace inhabiting in or near any such City, Town, Village or Place, and for no others; and such Constables; and other Chief Magistrates as aforesaid,

Petition of Right, 3 Car. I.

31 Car. 2. c. 1.

§ 54.

Constables, &c. in *England* to quarter Officers and Men in Inns, Alehouses, &c.

are hereby required to quarter and billet the Officers and Soldiers in His Majesty's Service, and Persons receiving Pay in His Majesty's Army, in Inns, Livery Stables, Alehouses, Victualling Houses, and the Houses of Sellers of Wine by Retail, whether *British* or Foreign, to be drank in their own Houses or Places thereunto belonging; other than and except Canteens held and occupied under the Authority of the Commissioners for the Affairs of Barracks, and other than and except Persons who keep Taverns only, being Freemen of the Company of Vintners of the City of *London*, who were admitted to the Freedom before the Fifth Day of *July* One thousand seven hundred and fifty seven, or who since have or shall hereafter be admitted to their Freedom of the said Company in Right of Patrimony or Apprenticeship, notwithstanding such Persons who keep Taverns only have taken out Victualling Licences; and all Houses of Persons selling Brandy, Strong Waters, Cyder or Metheglin, by Retail, to be drank in Houses, other than and except the House or Houses of any Distillers, who keep Houses or Places for distilling Brandy and Strong Waters, and the House of any Shopkeeper whose principal Dealings shall be more in other Goods and Merchandizes than in Brandy and Strong Waters (so as such Distillers and Shopkeepers do not permit or suffer Tippling in his or their Houses), and in no other, and in no private Houses whatsoever; nor shall any more Billets at any time be ordered than there are effective Soldiers present to be quartered; all which Billets when made out by such Chief Magistrates or Constables, shall be delivered into the Hands of the Commanding Officer present: And if any Constable, Tithingman or such like Officer or Magistrate, as aforesaid, shall presume to quarter or billet any such Officer or Soldier in any such private House, without the Consent of the Owner or Occupier, in such case such Owner or Occupier shall have his or their Remedy at Law against such Magistrate or Officer, for the Damage that such Owner or Occupier shall sustain thereby: And if any Military Officer shall take upon him to quarter Soldiers otherwise than is limited and allowed by this Act, or shall use or offer any Menace or Compulsion to or upon any Mayors, Constables or other Civil Officers before mentioned, tending to deter and discourage any of them from performing any Part of their Duty hereby required or appointed, such Military Officer shall for every such Offence (being thereof convicted before any Two or more of the Justices of the Peace of the County, by the Oath of Two credible Witnesses) be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to have or hold any Military Employment within this Kingdom, or in His Majesty's Service; provided the said Conviction be affirmed at the next Quarter Sessions of the Peace of the said County, and a Certificate thereof be transmitted to the Judge Advocate in *London*, who is hereby obliged to certify the same to the Commander in Chief and Secretary at War: And in case any Person shall find himself aggrieved, in that such Constable, Tithingman or Headborough, Chief Officer or Magistrate (such Chief Officer or Magistrate not being a Justice of the Peace), has quartered or billeted in his House a greater Number of Soldiers than he ought to bear in Proportion to his Neighbours, and shall complain thereof to One or more Justice or Justices of the Peace of the Division, City or Liberty, where such Soldiers are quartered; or in case such Chief Officer or Magistrate shall be a Justice of the Peace, then,

but in no Distillers or Shopkeepers Houses, or in any private Houses.

Penalty.

Penalty.

Persons aggrieved may complain to Justice and be relieved.

then, on Complaint made to Two or more Justices of the Peace of such Division, City or Liberty, such Justices respectively shall have, and have hereby Power to relieve such Person, by ordering such and so many of the Soldiers to be removed and quartered upon such other Person or Persons as they shall see Cause; and such other Person or Persons shall be obliged to receive such Soldiers accordingly.

XLVII. And whereas by an Act passed in Ireland in the Sixth Year of the Reign of Queen Anne, intituled *An Act to prevent the Disorders that may happen by the marching of Soldiers and providing Carriages for the Baggage of Soldiers on their March*, it was, amongst other things, enacted and declared, that no Officer, Soldier or Trooper in the Army, nor the Servant of any Officer, nor any Attendant on the Train of Artillery, nor any Yeoman of the Guard of Battle Axes, nor any Officer commanding the said Yeoman, nor any Servant of any such Officer, should at any time thereafter have, receive or be allowed any Quarters in any Part of Ireland, save only during such time as he or they should be and remain in some Sea Port Town in order to be transported, or during such time as there should be any Commotion in any Part of Ireland, by reason of which Emergency the Army, or any considerable Part thereof, should be commanded to march from any Part of Ireland to another, or during such time or times as he or they should be on their March as aforesaid: And whereas the Barracks of Ireland are not at present sufficient to lodge all the Forces upon its Military Establishment: And whereas it may be necessary to station Part of the Troops in Places where there are not Barracks, or not sufficient Barracks to hold them; Be it enacted, and it is hereby declared and agreed by the Authority aforesaid, That it shall and may be lawful, notwithstanding the said recited Act, to and for the Constables and other Chief Officers and Magistrates of Cities, Towns, Villages and other Places in Ireland, and in their Default or Absence for any one Justice of the Peace inhabiting in or near any such City, Town, Village or Place, and for no others; and such Constables and other Chief Magistrates as aforesaid, or in their Default, such Justice of Peace as aforesaid, are hereby required to quarter and billet the Officers and Soldiers in His Majesty's Service in Inns, Livery Stables, Ale Houses and the Houses of Sellers of Wine by Retail, to be drank in their own Houses or Places thereunto belonging, and all Houses of Persons selling Brandy, Strong Waters, Cyder or Mevbeglin, by Retail; and where there shall not be found sufficient Room in such Houses, then in such manner as has been heretofore customary, taking care not to billet less than Two Men in any One House, except only in the case of billeting Horse or Dragons in manner hereinafter mentioned; nor shall any Billets at any time be ordered for more than the Number of effective Soldiers present to be quartered; all which Billets, when made out by such Chief Magistrates or Constables, or Justice of the Peace, as the case may be, shall be delivered into the Hands of the Staff Officer employed, or of the Commanding Officer present; and if any Constable or such Chief Officer or Magistrate as aforesaid, shall presume to quarter or billet any such Officer or Soldier in any House not within the Meaning of this Act, without the Consent of the Owner or Occupier thereof, then such Owner or Occupier shall have his or their Remedy at Law against such Magistrate or Officer for the Damage that such Owner

6 Ann. (1.) c. 14.

§ 2.

Regulations for  
Quartering Sol-  
diers in Ireland.

Billeting.

Remedy.

- or Occupier shall sustain thereby, and such Constable, Chief Officer or Magistrate, being duly convicted of such Offence by Indictment, shall be imprisoned for the Space of One Calendar Month; and if any Military Officer shall take upon him to quarter Soldiers otherwise than is limited and allowed by this Act, or shall use or offer any Menace or Compulsion to or upon any Mayor, Constable or other Chief Officer before mentioned, tending to deter or discourage any of them from performing any Part of their Duty hereby required or appointed, or to induce any of them to do any thing contrary to their said Duty, such Military Officer shall, for every such Offence, being thereof convicted before any Two or more Justices of the Peace of the County, by the Oath of Two credible Witnesses, be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to have or hold any Military Employment whatsoever: Provided the said Conviction be affirmed at the next Assizes or Quarter Sessions of the Peace for the said County, or County of a City or Town, and a Certificate thereof transmitted to the Judge Advocate, who is hereby required and directed to certify the same to the next Court Martial; and in case any Person shall find himself aggrieved in that such Constable, Chief Officer or Magistrate not being a Justice of the Peace, has quartered or billeted in his House a greater Number of Soldiers than he ought to bear in Proportion to his Neighbours, and shall complain thereof to One or more Justice or Justices of the Peace of the Division, City or Liberty, where such Soldiers are quartered, or in case such Chief Officer or Magistrate shall be a Justice of the Peace, then on Complaint made to Two or more Justices of the Peace of such Division, City or Liberty, such Justice or Justices respectively shall have, and have hereby Power to relieve such Persons by ordering such and so many of the Soldiers to be removed and quartered upon such other Person or Persons as he or they shall see cause, and such other Person or Persons shall be obliged to receive such Soldiers accordingly.
- ‘ XLVIII. And as very great Detriment and Inconvenience arise to the Service, from the dispersing and billeting of Soldiers when on a March at a great Distance from the Place or Places where they are meant to be quartered, and contrary to the true Intent and Meaning of the said last recited Act, and by reason of which they are placed wide of their intended Route for the next Day’s March;’ Be it therefore enacted by the Authority aforesaid, That at no time when Troops are on a March shall any of them be billeted above One Mile from the Place or Places mentioned in the Route.
- ‘ XLIX. And be it further enacted, That it shall be lawful for any Two Justices of the Peace, or any Two Magistrates, within their respective Jurisdictions, to grant or transfer any Licence for selling Ale by Retail, or Cyder or Perry, to be drank or consumed in any House or Houses, or Premises, where more Houses or Premises than one shall be held together by the same Person or Persons as a Canteen, or any Licence to sell Spirituous Liquors or Strong Waters, or Wine or Liquor by Retail, to any Person or Persons applying for the same, who shall hold any Canteen under any Lease thereof, or any Agreement or other Authority from any Two of the Principal Officers of the Board of Ordnance, or from any Two of the Commissioners for the Affairs of Barracks, without regard to the time of Year, or any Notices or Certificates specified or required in relation
- Officer menacing Constable, &c.
- Punishment.
- Conviction affirmed at Quarter Sessions.
- Justices, Jurisdiction of.
- Soldiers not billeted above One Mile from Places mentioned in Route.
- Licences for keeping Canteens.

tion to the applying for or granting any such Licences; any thing in any Act or Acts of Parliament to the contrary notwithstanding: And it shall also be lawful for His Majesty's Commissioners of Excise in *England, Ireland and Scotland* respectively, or any Person appointed or employed by the said Commissioners in *England or Ireland* respectively in that Behalf, or for any Collectors or Supervisors of Excise within their respective Districts, and they are hereby required to grant Licences for selling Beer or Ale by Retail, or Cyder or Perry, to be drank or consumed in the Houses or Premises, accepted as a Canteen, of the Person or Persons applying for such Licence, or any Licence to sell Spirituous Liquors or Strong Waters, or Wine or Liquors by Retail, to any such Person or Persons who shall hold any such Canteen under any such Licence or Transfer of any such Licence of any Justice or Magistrate as aforesaid; and it shall also be lawful for any Person or Persons holding any such Canteen under any such Lease, Agreement or Authority as aforesaid, and having such Licences as aforesaid to keep such Canteen, and to utter and sell therein, and in the Premises thereto belonging, and not elsewhere, Victuals and all such Exciseable Liquors as he and they shall be licensed and empowered to sell under the Authority and Permission of any such Excise Licence as aforesaid, without being subject to any Penalty or Forfeiture; any thing in any Act or Acts of Parliament to the contrary notwithstanding.

L. And be it further enacted, That it shall be lawful for the Lord Lieutenant or other Chief Governor for the time being of *Ireland*, to depute by Warrant under his Hand and Seal, some proper Person to sign Routes for the marching of any of His Majesty's Forces in *Ireland* in the Name of such Lord Lieutenant or Chief Governor.

Lord Lieutenant to appoint a Person to sign Routes.

LI. Provided also, and be it further enacted, That no Justice or Justices of the Peace having or executing any Military Office or Commission in that Part of *Great Britain* called *England or Ireland*, shall and may, during the Continuance of this Act, directly or indirectly be concerned in the quartering, billeting or appointing any Quarters for any Soldier or Soldiers in the Regiment, Troop or Company under the immediate Command or Commands of such Justice or Justices, according to the Disposition made for quartering of any Soldier or Soldiers by virtue of this Act; but that all Warrants, Acts, Matters or Things, executed or appointed by such Justice or Justices of the Peace, for or concerning the same, shall be void; any thing in this Act contained to the contrary notwithstanding.

No Justice having any Military Office in *England* to be concerned in billeting.

LII. And be it further enacted and declared by the Authority aforesaid, That whenever any Order shall issue for the quartering or billeting the Officers or Soldiers of His Majesty's Regiments of Foot Guards, within the City and Liberties of *Westminster*, and Places adjacent, lying in the County of *Middlesex*, and in the County of *Surry*, and in the Borough of *Southwark* in the said County of *Surry*, the High Constable shall deliver out Precepts to the several Petty Constables, Headboroughs or Tithingmen, of each Parish, Ward, Hamlet and District, within their respective Divisions, to billet and quarter such Officers and Soldiers of His Majesty's Regiments of Foot Guards on such Houses only as by this Act is limited within their respective Parishes, Hamlets or Districts; and such Petty Constables, Headboroughs and Tithingmen, shall, in pursuance thereof, billet and quarter every such Officer and Soldier

High Constables, &c. may issue Precepts for billeting Foot Guards in *Westminster*, &c.

in such Houses so subjected thereto by this Act equally and proportionably according to the Number of such Officers and Soldiers to be billeted and quartered, and of the Houses so subjected to receive them; and such Officers and Soldiers of the Foot Guards shall be quartered within the said City and Liberties of *Westminster*, and the Places adjacent, lying in the said County of *Middlesex* (except the City of *London*), and in the said County of *Surry*, and in the said Borough of *Southwark* in the said County of *Surry*, in the same manner, and under the same Regulations, as in other Parts of *England*, in all cases for which particular Provision is not made by this Act.

LIII. And, for the better preventing Abuses in billeting and quartering such Officers and Soldiers in the said City and Liberties of *Westminster*, and Parts adjacent, lying in the said County of *Middlesex*, and in the said County of *Surry*, and in the said Borough of *Southwark* in the said County of *Surry*, be it enacted by the Authority afore-  
 said, That the Petty Constables, Headboroughs and Tithingmen of their respective Parishes, Wards, Hamlets and Districts, within the same, shall, at every General Quarter Sessions of the Peace to be holden for the said City and Liberties of *Westminster*, in the said County of *Middlesex* and the said County of *Surry*, and the said Borough of *Southwark* in the said County of *Surry*, respectively, make and deliver to the Justices then in open Sessions assembled, upon Oath (which Oath they the said Justices are hereby authorized and required to administer), true Lists signed by them respectively, of all such Houses, together with the Number of all such Persons respectively inhabiting the same, within his or their Parish, Ward, Hamlet or District respectively, as are subject and liable by this Act to receive such Officers and Soldiers, together with the Names and Rank of all such Officers and Soldiers as are quartered and billeted in each House respectively; and such Lists shall remain with the Clerks of the Peace of the said City and Liberties of *Westminster*, the said County of *Middlesex*, the said County of *Surry*, and the said Borough of *Southwark* in the said County of *Surry* respectively, to the Intent that all and every Person and Persons may be at Liberty to inspect the same without any Fee or Reward; and such Clerk shall forthwith from time to time make and deliver to every or any Person or Persons who shall require the same, true Copies of all and every or any such Lists, upon being paid Two pence a Sheet for each and every such Copy so taken, each Sheet to be computed at and contain One hundred and fifty Words: And if Default or Neglect shall be made by any Petty Constable, Headborough or Tithingman, of any such Parish, Ward, Hamlet or District, in the delivering such Lists to the Justices at their Quarter Sessions as afore-  
 said; or if he or they shall so deliver, or cause to be delivered in, any false or defective List, not including and specifying therein all and every such House and Houses so liable by this Act to receive such Officers and Soldiers, or the Names and Rank of all such Officers and Soldiers as are quartered and billeted in each House respectively; such Petty Constable, Headborough and Tithingman, or any of them so offending therein, shall for each such Offence forfeit each the Sum of Five Pounds, to the Use of the Poor of such respective Parishes, Wards, Hamlets and Districts; to be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant or Warrants under  
 the

Constables, &c. in  
*Westminster*, &c.  
 to deliver Lists  
 at Quarter Ses-  
 sions on Oath, of  
 Houses subject  
 to receive Sol-  
 diers, &c.

inspected with-  
 out Fee.

Copies of Lists  
 wrote by Clerk  
 at 2d. per Sheet.

Penalty.

Giving defective  
 Lists.

Penalty.

How levied.

the Hand and Seal, or Hands and Seals, of One or more of His Majesty's Justice or Justices of the Peace for the said City and Liberties of *Westminster*, for the said County of *Middlesex*, and for the said County of *Surry*, and for the said Borough of *Southwark* in the said County of *Surry* respectively (which Warrant or Warrants the said Justice or Justices is and are hereby empowered and required to make and issue); and for Want of sufficient Distress to be found for that Purpose, the said Justice or Justices is and are hereby empowered and required, by Warrant or Warrants, under his or their Hands and Seals, to commit the Person or Persons so offending to the Common Gaol of the said City of *Westminster*, the said County of *Middlesex*, the said County of *Surry*, or the said Borough of *Southwark* in the said County of *Surry*, there to remain for any time to be limited by such Justice or Justices, not exceeding Three Months nor less than One Month, without Bail or Mainprize.

Imprisonment.

LIV. And be it further enacted by the Authority aforesaid, That the Officers, Men and Horses, belonging to His Majesty's Horse or Dragoons, and also all Bat and Baggage Horses belonging to any of His Majesty's other Forces, and also the Horses belonging to Staff and Field Officers in His Majesty's Forces when upon actual Service, not exceeding for each Officer the Number for which Forage is or shall be allowed by His Majesty's Regulations, shall and may be quartered and billeted in the Inns, Livery Stables, Alehouses, Victualling Houses and other Houses in which Officers and Soldiers are by this Act allowed to be quartered and billeted, and that they shall be received and furnished by the Owners or Occupiers of such Inns, Livery Stables, Alehouses, Victualling Houses and other Houses in which they are so allowed to be quartered and billeted with Diet and Small Beer, and with Stables, and Hay and Straw for such Horses, paying and allowing for the same the several Rates hereinafter mentioned, to be payable out of the Subsistence Money for Diet and small Beer, and Hay and Straw for such Horses.

Officers, Men, and Horses, belonging to the Horse or Dragoons, and also Bat and Baggage Horses, &amp;c. how quartered, &amp;c.

LV. Provided always, and be it further enacted by the Authority aforesaid, That when any of His Majesty's Horse or Dragoons, or any other Horses as aforesaid, shall be quartered or billeted upon the Owner or Owners, Occupier or Occupiers, of any Alehouse, Victualling House or other House in which Officers or Soldiers may be quartered by virtue of this Act, who have no Stables; then and in such case, and upon Complaint made by the Person or Persons having no Stables, to Two or more Justices of the Peace of the Division, City or Liberty, where such Horse or Dragoons, or other Horses shall be so quartered and billeted, and upon his or their making such Allowance in lieu of his or their quartering such Horse or Dragoons or other Horses, as such Justices shall think reasonable, it shall and may be lawful for such Justices to order the Men and their Horses or such Horses only as the case may be, to be removed and quartered upon some other Person or Persons who by this Act are liable to have Officers and Soldiers quartered and billeted upon them who have Stables, and to order and settle a proper Allowance to be made by the Person or Persons having no Stables, in lieu of his or their quartering such Horse or Dragoons, or other Horses, so to be removed as aforesaid; and also to order and direct that such Allowance shall be paid by the Person or Persons from whom such Men and Horses shall be removed, to or amongst the Person or Persons

Dragoons, &amp;c. quartered on Persons who have no Stables, may be removed to those who have Stables, &amp;c.

Persons to whom such Men and Horses shall be so removed as aforesaid, or to be applied in the furnishing of Quarters for the Reception of such Men and Horses, as the case may require, and as such Justices shall think fit.

‘ LVI. And whereas great Inconveniencies have arisen and may arise in such Places where Horses or Dragoons are or may be quartered, by the billeting of the Men and their Horses at different Houses, and often at great Distances from one another, contrary to the true Intent and Meaning of this Act;’ Be it therefore enacted by the Authority aforesaid, That in all Places where Horses or Dragoons shall be quartered or billeted in pursuance of this Act, for the future, the Men and their Horses shall be billeted in one and the same House (except in case of Necessity); and that in no other case whatsoever there be less than One Man billeted where there shall be One or Two Horses, nor less than Two Men where there shall be Four Horses, and so in Proportion for a greater Number; and in such case each Man shall be billeted as near his Horse as possible.

‘ LVII. And whereas some Doubts have arisen whether Commanding Officers of any Regiment, Troop or Company, may exchange any Men or Horses quartered in any Town or Place, with another Man or Horse quartered in the same Place, for the Benefit of the Service;’ Be it declared and enacted by the Authority aforesaid, That such Exchange as above mentioned may be made by such Commanding Officer respectively, provided the Number of Men or Horses do not exceed the Number at that time billeted on such House or Houses; and the Constables, Tithingmen, Headboroughs and other Chief Officers, and Magistrates of the Cities, Towns and Villages or other Places where any Regiment, Troop or Company, shall be quartered, are hereby required to billet such Men and Horses so exchanged accordingly.

LVIII. Provided always, and be it enacted by the Authority aforesaid, That if any Officer shall take or cause to be taken, or knowingly suffer to be taken, any Money of any Person for excusing the quartering of Officers or Soldiers, or any of them, in any House allowed by this Act, every such Officer shall be cashiered, and be incapable of serving in any Military Employment whatsoever.

LIX. And be it further enacted by the Authority aforesaid, That if any High Constable, Constable, Beadle or other Officer or Person whatsoever, who, by virtue or colour of this Act, shall quarter or billet, or be employed in quartering or billeting, any Officers or Soldiers, shall neglect or refuse to quarter or billet any Officer or Soldier on Duty when thereunto required, in such manner as is by this Act directed, provided sufficient Notice be given before the Arrival of such Troops; or shall receive, demand, contract or agree for any Sum or Sums of Money, or any Reward whatsoever, for or on account of excusing, or in order to excuse any Person or Persons whatsoever, from quartering or receiving into his, her or their House or Houses, any such Officer or Soldier; or in case any Victualler, or any other Person liable by this Act to have any Officer or Soldier billeted or quartered on him or her, shall refuse to receive or victual any such Officer or Soldier so quartered or billeted upon him or her as aforesaid; or shall refuse to furnish or allow, according to the Directions of this Act, the several things hereinafter

Dragoons, &c.  
and their Horses  
billeted in the  
same Houses.

Manner of  
changing Men  
and Horses.

Officers taking  
Money to excuse  
Person from  
quartering.

Punishment.

Constables, &c.  
taking Money to  
excuse any Per-  
son from quar-  
tering;

and on Victual-  
lers refusing to  
quarter Soldiers.



hereinafter respectively directed to be furnished or allowed to Non-Commissioned Officers or Soldiers so quartered or billeted on him or her as aforesaid; or shall neglect or refuse to furnish good and sufficient Stables, together with good and sufficient Hay and Straw for each Horse so quartered or billeted on him or her as aforesaid, at the Rate hereinafter mentioned, and shall be thereof convicted before One or more Justice or Justices of the Peace of the County, City or Liberty, within which such Offence shall be committed, either by his own Confession or by the Oath of One or more credible Witnesses or Witnesses (which Oath the said Justice or Justices is and are hereby empowered to administer), every such High Constable, Constable, Beadle or other Officer or Person so offending, shall forfeit for every such Offence the Sum of Five Pounds, or any Sum of Money not exceeding Five Pounds nor less than Forty Shillings (as the said Justice or Justices, before whom the Matter shall be heard, shall in his or their Discretion think fit); to be levied by Distress and Sale of the Goods of the Person offending, by Warrant under the Hand and Seal, or Hands and Seals, of such Justice or Justices before whom such Offender shall be convicted, or of One or more of them, to be directed to any other Constable within the County, City or Liberty, or to any of the Overseers of the Poor of the Parish where the Offender shall dwell; which said Sum of Five Pounds, or the said Sum not exceeding Five Pounds nor less than Forty Shillings, when levied, shall be applied in the first Place in making such Satisfaction to any Soldier for the Expence he may have been put to by reason of his not being billeted or quartered as aforesaid, as such Justice or Justices shall order and direct; and the Remainder shall be paid to the Overseers of the Poor of the Parish if in *England*, and to the Churchwardens of the Parish if in *Ireland*, wherein the Offence shall be committed, or to some One of them, for the Use of the Poor of the said Parish.

Penalty.

How levied,  
ap, liod, &c.

LX. And, for the better preventing Abuses in quartering or billeting the Soldiers in pursuance of this Act, be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any One or more Justice or Justices of the Peace within their respective Counties, Cities or Liberties, in any Part of the United Kingdom, by Warrant or Order under his or their Hand or † Seal, or Hands and Seals, at any time or times during the Continuance of this Act, to require and command any High Constable, Constable, Beadle or other Officer who shall quarter or billet any Soldiers in pursuance of this Act, to give an Account in Writing unto the said Justice or Justices requiring the same, of the Number of Officers and Soldiers who shall be quartered or billeted by them, and also the Names of the Housekeepers or Persons upon whom every such Officer or Soldier shall be quartered or billeted, together with an Account of the Street or Place where every such Housekeeper dwells, and of the Signs (if any) belonging to their Houses; to the end it may appear to the said Justice or Justices where such Officers and Soldiers are quartered or billeted, and that he or they may thereby be the better enabled to prevent or punish all Abuses in the quartering or billeting of them.

Justices may order Constables to give Account of Number of Soldiers quartered, &amp;c.

† Sic.

LXI. Provided always, and be it further enacted, That it shall be lawful for any Justice of the Peace at the Request of any Officer or Non-Commissioned Officer commanding any Soldiers requiring Quarters

Justices may extend Routes and enlarge Quarters

Quarters or Billets, in any case in which it shall appear to such Officer or Justice that better Accommodation can be given to the Troops by extending any Route or enlarging the District within which Quarters and Billets shall be required, to enlarge such Route, and extend such Quarters and Billets in such manner as shall be most convenient to the Troops to be quartered and billeted; any thing in this Act or any other Act, or any Law or Custom to the contrary notwithstanding.

Officers and Soldiers to pay Rates for Diet.

LXII. Provided nevertheless, and it is hereby enacted, That the Officers and Soldiers so quartered and billeted as aforesaid, shall be received and furnished with Diet and Small Beer by the Owners of the Inns, Livery Stables, Alehouses, Victualling Houses and other Houses in which they are allowed to be quartered and billeted by this Act; paying and allowing for the same the several Rates hereinafter mentioned to be payable out of the Subsistence Money for Diet and Small Beer.

In what case of Innholders furnishing Men quartered with Candles, &c. gratis, &c. the Men to provide their own Victuals and Small Beer.

LXIII. Provided always, That in case any Innholder, or other Person on whom any Non Commission Officers or Private Men shall be quartered by virtue of this Act (except on a March or employed in recruiting, and likewise except the Recruits by them raised, for the Space of Seven Days at most for such Non Commission Officers and Soldiers who are recruiting and the Recruits by them raised), shall be desirous to furnish such Non Commission Officers and Soldiers with Candles, Vinegar and Salt, *gratis*, and allow to such Non Commission Officers or Soldiers the Use of Fire, and the necessary Utensils for dressing and eating their Meat, and shall give Notice of such his Desire to the Commanding Officer, and shall furnish and allow the same accordingly; then and in such case the Non Commission Officers and Soldiers so quartered shall provide their own Victuals and Small Beer; and the Officer to whom it belongs to receive, or that does actually receive the Pay and Subsistence of such Non Commission Officers and Soldiers, shall pay the several Sums hereinafter mentioned to be payable out of the Subsistence Money for Diet and Small Beer to the Non Commission Officers and Soldiers as aforesaid, and not to the Innholder or other Person on whom such Non Commission Officers and Soldiers are quartered; any thing herein contained to the contrary notwithstanding. [See c. 43. § 1. *post*; and as to Dieting on March and Recruiting, c. 43. § 4—9. *post*.]

Officers receiving the Pay to settle Demands of Innkeepers.

LXIV. And, that the Quarters both of Officers and Soldiers may hereafter be duly paid and satisfied, and His Majesty's Duties of Excise better answered, be it enacted by the Authority aforesaid, That, from and after the Twenty fourth Day of *March* One thousand eight hundred and thirteen, every Officer to whom it belongs to receive, or that does actually receive the Pay or Subsistence Money, either for a whole Regiment, or particular Troops and Companies, or otherwise, shall every Four Days, or before the Troops shall quit their Quarters, if they shall not remain so long as Four Days, settle the just Demands of all Persons keeping Inns, or other Places where Officers or Soldiers are quartered by virtue of this Act, out of the Pay and Subsistence of such Officers and Soldiers, before any Part of the said Pay or Subsistence be distributed to either of them respectively: Provided the said Demands exceed not, for a Commission Officer of Horse, being under the Degree of a Captain, for

Rates to Innkeepers for Diet.

for such Officer's Diet and Small Beer *per Diem*, Two Shillings; nor for One Commission Officer of Dragoons, being under the Degree of a Captain, for such Officer's Diet and Small Beer, *per Diem*, One Shilling; nor for One Commission Officer of Foot, under the Degree of a Captain, for such Officer's Diet and Small Beer, *per Diem*, One Shilling; nor for One Light Horseman's Diet and Small Beer, *per Diem*, Seven pence; nor for One Dragoon's Diet and Small Beer, *per Diem*, Seven pence; nor for One Foot Soldier's Diet and Small Beer, *per Diem*, Five pence; nor for each Horse which shall be quartered under the Authority of this Act, for Hay and Straw for such Horse, *per Diem*, Six pence (a): And if any Officer or Officers, as aforesaid, shall not satisfy, content and pay the same, upon Complaint and Oath made thereof by any Two Witnesses, at the next Quarter Sessions for the County or City where such Quarters were (which Oath the Justices of the Peace at such Sessions are hereby authorized and required to administer), the Secretary at War in England, and the Chief Secretary, or in his Absence the Under Secretary for the Military Department in Ireland, is hereby required and authorized (upon Certificate of the said Justices before whom such Oath was made, of the Sum due upon such Accounts, and the Persons to whom the same is owing) to give Orders to the Agent of the Troop or Company to pay and satisfy the said Sums, and to charge the same against such Officer. (a) [1s. 2d. c. 43. § 3. post.]

Officers not satisfying Accounts Penalty charged against them by the Agents.

LXV. And be it further enacted, That in case of any Troop or Company being suddenly ordered to march, and that the respective Commanding Officers are not enabled to make Payment of the Sums due for the Lodgings of the Men, and Stabling for the Horses as aforesaid, every such Officer shall before his Departure make up the Account with every Person with whom such Troop or Company may have been quartered, and sign a Certificate thereof, which Account and Certificate shall be transmitted to the Agent of the Regiment, that immediate Payment may be made, which he is hereby required to make accordingly, and to charge the same to the Account of such Officer.

Quarters not paid for before Marching of Troops, Certificate of Amount transmitted to Agent.

LXVI. And be it enacted by the Authority aforesaid, That if any Officer, Military or Civil, by this Act authorized to quarter Soldiers in any Houses hereby appointed for that Purpose, shall, at any time during the Continuance of this Act, quarter any of the Wives, Children, Men or Maid Servants, of any Officer or Soldier, in any such Houses, against the Consent of the Owners, the Party offending, if an Officer of the Army, shall, upon being convicted thereof before a General Court Martial, be cashiered; and if a Constable, Tithingman or other Civil Officer, he shall forfeit to the Party aggrieved Twenty Shillings, upon Complaint and Proof thereof made to the next Justice of the Peace; to be levied by Warrant of such Justice by Distress and Sale of his Goods, rendering the Overplus to the Party, after deducting reasonable Charges in taking the same.

Soldiers' Wives, &c. not quartered without Consent.

Penalty.

LXVII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for any Justice of the Peace for the County, Town or Place, where any Non Commissioned Officer or Soldier shall be quartered, in that Part of Great Britain called England, in case such Non Commission Officer or Private Soldier have

Soldiers' Settlements for their Wives and Children when quartered in England.

have either Wife or Child or Children, to cause such Non Commission Officer or Soldier to be summoned before them, in the Town or Place where such Non Commission Officer or Soldier shall be quartered, in order to make Oath of the Place of their last legal Settlement (which Oath the said Justice is hereby empowered to administer); and such Non Commission Officers and Private Soldiers as aforesaid are hereby directed to obey such Summons, and to make Oath accordingly; and such Justice is hereby required to give an attested Copy of such Affidavit so made before him to the Person making the same, to be by him delivered to his Commanding Officer, in order to be produced when required; which attested Copy shall be at any time admitted in Evidence, as to such last legal Settlement, before any of His Majesty's Justices of the Peace, or at any General or Quarter Session of the Peace: Provided always, that in case any Non Commission Officer or Private Soldier shall be again summoned to make Oath as aforesaid, then on such attested Copy of the Oath by him formerly taken being produced by him, or by any other Person on his Behalf, such Non Commission Officer or Soldier shall not be obliged to take any other or further Oath with regard to his legal Settlement, but shall leave a Copy of such attested Copy of Examination, if required.

Attested Copy of Affidavit.

Carriages for Forces marching in England and Ireland.

LXVIII. And be it further enacted by the Authority aforesaid, That, for the better and more regular Provision of Carriages for His Majesty's Forces in their Marches, or for their Arms, Clothes or Accoutrements in *England, Ireland and Wales*, and the Town of *Berwick upon Tweed*, all Justices of the Peace, within their several Counties, Ridings, Divisions, Shires, Liberties and Precincts, being duly required thereunto, by an Order from His Majesty, or the General of His Forces, or the Master General or Lieutenant General of His Majesty's Ordnance, if in *England, Wales or Berwick upon Tweed*, or by an Order from the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, or from the Officer commanding His Majesty's Forces in *Ireland*, or other Person duly authorized in that Behalf, shall, as often as such Order is brought and shewn unto One or more of them by the Quarter Master, Adjutant or other Officer or Non Commissioned Officer of the Regiment, Detachment, Troop or Company, so ordered to march, issue out his or their Warrants to the Constables or Petty Constables of, or to any Constable or Constables acting or having Authority to act in the Division, Riding, City, Liberty, Hundred and Precinct, from, through, near or to which such Regiment, Detachment, Troop or Company, shall be ordered to march; requiring them to make such Provision of Carriages, and Horses or Oxen, with able Men to drive the same, as is mentioned in the said Warrant, allowing them sufficient time to do the same, that the neighbouring Parts may not always bear the Burthen; and specifying in the said Warrants the Place or Places to which the said Carriages shall, by virtue of such Orders as aforesaid, be required to travel, which shall not exceed the Day's March of the Troops, as prescribed in the Order produced to the Magistrate, unless in case of pressing Emergency or Necessity, and shall in no case whatever exceed Twenty five Miles from the Place at which the March shall commence; and in case sufficient Carriages cannot be provided within any such Liberty, Division or Precinct, then the Justice or Justices of

Warrants to specify Places to which Carriages shall travel, &c.

of the Peace of the next adjoining County, Riding or Division, shall, upon such Order as aforesaid being brought or shewn to One or more of them by any of the Officers aforesaid, issue his or their Warrant to the Constables or Petty Constables of such next County, Riding, Liberty, Division or Precinct, as shall be most convenient for the Purposes aforesaid, according to their respective Jurisdictions, to make up such Deficiency: And the aforesaid Officer or Officers, who, by virtue of the aforesaid Warrant from the Justices of the Peace, are to demand the Carriage or Carriages therein mentioned of the Constable or Petty Constable, to whom the Warrant is directed, is and are hereby required, at the same time, to pay down in Hand to the said Constable or Petty Constable, for the Use of the Person who shall provide such Carriages and Men, the Sums hereinafter mentioned respectively, for which respective Sums so received the said Constable or Petty Constable is hereby required to give a Receipt in Writing (which Receipt need not be stamped) to the Person or Persons paying the same: And such Constable, or Petty Constable, shall order and appoint such Person or Persons, having Carriages within their respective Liberties, as they shall think proper, to provide and furnish such Carriages and Horses and Oxen and Men, according to the Warrant aforesaid, who are hereby required to provide and furnish the same accordingly; and no Person owning or driving, or causing to be driven, any such Waggon, Wain, Cart or other Carriage, shall be subject to any Penalty or Forfeiture, nor shall any such Waggon, Wain, Cart or other Carriage be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart or other Carriage, or of being drawn by any Number of Horses or Oxen; but it shall be lawful for any Owner of any such Waggon, Wain, Cart or other Carriage, to put any additional Number of Horses or Oxen to those prescribed or paid for under this Act; any thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or any particular Highway or Road, to the contrary notwithstanding: And if any Military Officer or Officers, for the Use of whose Regiment, Detachment, Troop or Company the Carriage was provided, shall force and constrain any Waggon, Wain, Cart or Carriage, to travel beyond the Distance specified in the Magistrate's Warrant, or shall not discharge the same in due time for their Return Home on the same Day, if it be practicable, or shall suffer any Soldier or Servant (except such as are sick), or any Woman to ride in the Waggon, Wain, Cart or Carriage aforesaid; or shall force any Constable or Petty Constable, by threatening or menacing Words to provide Saddle Horses for themselves or Servants, or shall force Horses from the Owners, by themselves, Servants or Soldiers; every such Officer, for every such Offence, shall forfeit the Sum of Five Pounds, Proof thereof being made upon Oath before Two of His Majesty's Justices of the Peace of the same County or Riding, who are to certify the same to the Secretary at War in *England*, or if in *Ireland* to the Chief Secretary, or in his Absence the Under Secretary for the Military Department, who is hereby authorized and required to give Orders for the Payment of the aforesaid Sum of Five Pounds, according to the Order and Appointment under the Hands and Seals of the aforesaid Justices of the Peace of the same County or Riding, and for deducting the same out of such Officer's Pay.

Officers forcing  
Waggons to  
travel more than  
Magistrate's  
Warrant  
specifies, &c.

Penalty.

LXIX. And

Rates paid for  
Carriages in  
England.

LXIX. And be it further enacted, That the sums to be paid into the Hands of such Constable or Petty Constable in *England, Wales* and *Berwick upon Tweed*, shall be according to the following Rates; that is to say, the Sum of One Shilling for every Mile any Waggon with Four or more Horses shall travel; and the Sum of One Shilling for every Mile any Wain with Six Oxen, or Four Oxen with Two Horses shall travel; and the Sum of Nine pence for every Mile any Waggon with Narrow Wheels, or any Cart with Four Horses respectively, or carrying not less than Fifteen hundred Weight, shall travel; and the Sum of Six pence for every Mile every Cart or other Carriage with less than Four Horses, and not carrying Fifteen hundred Weight, shall travel; or any further Sum not exceeding Four pence for every Mile any Waggon with Four or more Horses, or any Wain with Six Oxen, or with Four Oxen and Two Horses, shall travel; and not exceeding Three pence for every Mile any Cart with Four Horses, or carrying not less than Fifteen hundred Weight, shall travel; and not exceeding Two pence for every Mile any Cart or Carriage with less than Four Horses, and not carrying Fifteen hundred Weight, shall travel, according as the same shall be fixed and ordered by the Justices of the Peace for any County or District, assembled at any General Sessions of the Peace for such County or District, the said Justices having regard to the Price of Hay and Oats at the time of fixing such additional Rates: Provided always, that in cases where the Day's March shall exceed Fifteen Miles, such further Compensation shall be made and paid in like manner to the Owners of the said Carriages as shall be deemed reasonable by the Magistrate who granted the Warrant for impressing them, not exceeding the usual Rate and Hire of such Carriages: Provided always, that every Order of the Justices assembled at any General Sessions of the Peace, fixing a further Sum to be paid for the Hire of Carriages as aforesaid, in Addition to the customary Rates of One Shilling, and Nine pence, and Six pence per Mile respectively, shall specify the Period for which the same shall be in force, and which shall not in any case exceed Ten Days beyond the General Sessions of the Peace for such County or District next ensuing the Date of such Order; and a Copy of every such Order, signed by the Chairman or presiding Magistrate, and one other Justice of the Peace or Magistrate at the Quarter Sessions at which the same shall be made, shall, within Three Days after the making thereof, be transmitted to the Secretary at War; and no such Order shall be valid or effectual unless a Copy thereof be so signed and transmitted as aforesaid: Provided also, that in every case of any increased Rate being allowed for the Hire of any Carriage, the Justice of the Peace granting or signing the Warrant shall insert in his own Hand, the Amount of such increased Rate for each Description of Carriage as so authorised by the Justices at the Quarter Sessions as aforesaid; and such Warrant shall be given to the Officer or Non Commissioned Officer commanding the Regiment, Corps, Company, Detachment or Party requiring such Carriages, as his Voucher for the Payment of such increased Rate; and no increased Rate shall be demanded, but such as shall be so inserted by the Justice in the Warrant.

Proviso.

Rates of Carriage in Ireland.

LXX. And whereas from various local Circumstances, the Rates of Carriage in *Ireland* cannot be regulated in the same manner

matter as the Rate in *England*; Be it therefore enacted, That the Sums to be paid into the Hands of any such Constable or Petty Constable as aforesaid in *Ireland*, shall be as follows; that is to say, For every Hundred Weight which the Owner or Owners of any Wheel Carriage shall take as Loading on such Wheel Carriage the Sum of One Penny and One sixth Part of a Penny for every Mile or repeated Mile he or they shall therewith march, or according to such Rate as shall be fixed and ordered by the Justices of the Peace for any County or District, the said Justices having regard to the Price of Hay and Oats at the time of fixing such additional Rates.

LXXI. And whereas it may sometimes become necessary, in cases of Emergency, to provide proper and speedy means for the Carriage and Conveyance, not only of the Arms, Clothes, Accoutrements, Tents, Baggage and other Equipage of and belonging to His Majesty's Forces in their Marches, but also of the Officers, Soldiers, Servants, Women, Children and other Persons of and belonging to such Forces: And whereas it is expedient that Provision should be made for enforcing prompt Obedience to such Orders as His Majesty or the Lord Lieutenant or other Chief Governor in *Ireland* may in such cases think fit to issue, in pursuance of the Powers by Law vested in Him for the Advancement of the general Good and public Welfare of the Realm; Be it therefore further enacted by the Authority aforesaid, That it shall be lawful for His Majesty, or such Lord Lieutenant or Chief Governor or Governors in *Ireland*, by His or their Order, distinctly stating that such case of Emergency doth exist, signified by the Secretary at War, or if in *Ireland* by the Chief Secretary, or in his Absence by the Under Secretary for the Military Department for the time being, to any General or Field Officer commanding His Majesty's Forces in any District or Place, or to the Commissary in Chief of Stores and Provisions at Home, or Person acting in that Capacity, to authorize such General or Field Officers or Commissary in Chief as aforesaid, or Person aforesaid, by Writing under his Hand, reciting such Order of His said Majesty or Lord Lieutenant or Chief Governor aforesaid, to require all Justices of the Peace within their several Counties, Ridings, Divisions, Cities, Liberties and Precincts in *England*, *Ireland*, *Wales* and Town of *Berwick upon Tweed*, to issue his or their Warrant or Warrants for any of the Purposes hereinafter mentioned; and such Justice or Justices shall, when and as often as such Requisitions in Writing as last mentioned shall be brought and shewn unto any One or more of such Justices, by the Quarter Master, Adjutant or other Officer of the Regiment, Detachment, Troop or Company, so ordered to be conveyed, or by any Officer in the Department of the said Commissary General, to issue out his or their Warrant or Warrants to the Constables, or Petty Constables, of the County, Division, Riding, City, Liberty, Hundred and Precinct, from, through, near or to which such Regiment, Detachment, Troop or Company shall be so ordered to be conveyed, requiring them to make such Provision not only of Waggons, Waives, Carts and Cars kept by, or belonging to, any Person or Persons, and for any Use or Purpose whatsoever, but also of Saddle Horses, Coaches, Chaises and other Four-wheeled Carriages usually let to Hire, or kept for that Purpose; and also of Boats, Barges and other Vessels, used for the Carriage of Coals, Stone, Lime, Manure or of Goods, Wares or

In cases of Emergency Justices may be required to issue Warrants for providing Saddle Horses and Four-wheeled Carriages let to Hire, and also Vessels.

Merchandizes, or any other Articles or Commodity whatsoever, upon any Canal or navigable River, with able Men and Horses to drive, navigate and draw the same, as shall be mentioned in the said Warrant or Warrants, therein specifying the Place or Distance to which such Horses, Carriages, Boats, Barges or other Vessels and Men shall go and be conveyed, and allowing such Constables sufficient time to make such Provision, that the neighbouring Parts may not always bear the Burthen; and in case such sufficient Carriages, Horses, Boats, Barges or other Vessels and Men cannot be provided within any such County, Riding, Division, Hundred, City, Liberty or Precinct, then the next Justice or Justices of the Peace of the next County, Riding, Division, City, Liberty or Precinct, shall, upon such Requisition in Writing as last aforesaid being brought or shewn to any One or more of them, by any of the Officers aforesaid, issue his or their Warrant or Warrants to the Constables, or Petty Constables, of such next County, Riding, City, Liberty, Division, Hundred or Precinct, for the Purposes last aforesaid, to make up such Deficiency; and the aforesaid Officer or Officers, who, by virtue of the aforesaid Warrant or Warrants from the Justice or Justices of the Peace, are to demand the Carriages, Horses, Boats, Barges or other Vessels therein mentioned, of the Constable or Petty Constable to whom the said Warrant or Warrants shall be directed, is and are hereby required at the same time to pay down in Hand to the said Constable or Petty Constable, for the Use of the Person or Persons who shall provide such Carriages, Horses, Boats, Barges or other Vessels and Men, such reasonable Sum and Sums of Money, as the said Justice or Justices shall in and by his or their said Warrant or Warrants order and direct, not exceeding the usual Rate and Hire of such and the like Carriages, Horses, Boats, Barges or other Vessels and Men, according to the Length of the Journey or Voyage in each particular case, but making no Allowance for Post Horse Duty, or Turnpike, Canal, River or Lock Tolls (which Duty or Tolls are hereby declared not to be demandable or payable in such and the like cases, for any such Carriages, Horses, Boats, Barges and other Vessels, whilst employed in such Service or returning therefrom); for which said respective Sum and Sums so received, the said Constable or Petty Constable is hereby required to give a Receipt in Writing, but without any Stamp, to the Person or Persons paying the same; and such Constable or Petty Constable shall order and appoint such Person or Persons having such Horses, Carriages, Boats, Barges or other Vessels and Men, within their respective Liberties as they shall think proper, to provide and furnish such Horses, Carriages, Boats, Barges or other Vessels and Men, according to the Warrant or Warrants aforesaid, who are hereby required to provide and furnish the same accordingly; and it shall and may be lawful in such cases, to and for all and every Military Officer and Officers, for the Use of whom, or of whose Regiment, Detachment, Troop or Company, such Horses, Carriages, Boats, Barges or other Vessels shall be provided in such cases, to carry and convey, and permit to be carried and conveyed, on the same respectively, not only the Arms, Clothes, Accoutrements, Baggage, Tents and other Equipage of such Regiment, Detachment, Troop or Company, but also the Officers, Soldiers, Servants, Women, Children and other Persons of and belonging to the same; any thing herein contained to the contrary thereof notwithstanding: But if any such

Officers demand  
ing them, to pay  
for their Hire  
Such Sums as  
Justices shall  
direct.

Constable to  
give a Receipt  
without Stamp,  
and to order  
Horses, &c. to  
be provided.

What things  
may be convey-  
ed on such Car-  
riages, &c.

Officers forcing  
Horses, &c. to

Officer



Officers or Officers shall force or constrain any Horse, Carriage, Boat, Barge or other Vessel, to travel or proceed beyond the Distance or Place to be allowed and specified in such Warrant or Warrants, without the special Licence or Order of One or more other such Justice or Justices of the Peace in that Behalf, and which Licence or Order One or more of such Justices is and are hereby authorized and required to give and make at his and their reasonable Discretion, every such Officer for every such Offence shall forfeit the Sum of Five Pounds, Proof thereof being made upon Oath before Two of His Majesty's Justices of the Peace of the same County or Riding, Division, City, Liberty or Precinct, who are to certify the same to the Secretary at War, or if in *Ireland* to the Chief Secretary, or in his Absence the Under Secretary for the Military Department, who is hereby authorized and required to give Order for Payment of the aforesaid Sum of Five Pounds, according to the Order and Appointment under the Hands and Seals of the aforesaid Justices of the Peace of the same County, Riding, Division, City, Liberty or Precinct, and for deducting the same out of such Officer's Pay.

travel beyond Distance specified in Warrant, without Licence.

Penalty.

Penalty.

LXXII. Provided always, and be it further enacted, That no Waggon, Wain, Cart or Carriage, impressed by Authority of this Act, shall be liable or obliged, by virtue of this Act, to carry above Thirty hundred Weight; any thing in this Act contained to the contrary notwithstanding.

What Weight Waggon, &c. to carry.

LXXIII. Provided also, and be it further enacted, That no Owner of any such Carriage in *Ireland* shall be compelled or obliged to take any Loading until the same shall be first duly weighed at the Expence of the Owner or Owners of such Carriage, if he or they shall think fit, and if the same can be done in a reasonable time without Let or Hindrance of His Majesty's Service; and if any Officer requiring such Carriage shall force or compel the Owner to take any Loading until the same shall be first duly weighed, if the same can be done in a reasonable time as aforesaid, or shall, contrary to the Will of the Owner of such Carriage, or his Servant, put or permit any Person whatsoever to put any greater Load upon any Carriage than is hereinafter directed, either at the time of loading or on the March, every such Officer shall, for every such Offence, forfeit the Sum of Twenty Shillings to the Party injured, upon such Proof and in such manner as is hereinbefore appointed.

Owners of Carriages in *Ireland* not obliged to take Loading till weighed.

Penalty.

LXXIV. And be it further enacted, That no Carriage impressed by Authority of this Act in *Ireland* shall be liable or obliged to carry above Six hundred Weight; and if the Owner shall consent to carry above Six hundred Weight on any Carriage, he shall be allowed and paid at the Rate of One Penny One sixth Part per Mile for every Hundred above the Weight of Six hundred Pounds put on his Carriage; and the Owner or Owners of such Carriage or Carriages shall not be compelled or obliged to proceed with such Carriage or Carriages, under the Sum of Seven pence per Mile or reputed Mile at the least, in case he or they shall be required to carry a less Weight on such Carriage or Carriages than Six hundred Pounds Weight for each Carriage.

What Weight Carriages impressed in *Ireland* obliged to carry.

LXXV. And be it further enacted, That Notice shall be given to the Lord Mayor of the City of *Dublin* at least Twenty four Hours before the March of any Troops or Companies of Soldiers out of the said City, or in case of Emergency, as long before such March as

Notice to Lord Mayor of *Dublin* before March of Troops, to provide Carriages.

the nature of the case shall permit, of the Number of Troops or Companies appointed to march; whereupon the Lord Mayor for the time being shall summon a proportionable Number of Cars out of the Licenced Cars, Brick Cars, and other Cars within the County of the said City, and so from time to time the said Cars are by Turns to be employed in carrying the Baggage of such Troops or Companies, at the Prices and under the Regulations hereinbefore mentioned; and it is hereby directed that no Country Cars or Carriages coming to the Market of the said City, nor any Cars or Carriages coming to any of the Markets in *Ireland*, shall be detained or employed against the Will of the Owners, in carrying the Baggage of the Army on any Pretence whatsoever.

Number of Carriages for Troops in *Ireland* regulated by Lord Lieutenant.

LXXVI. And be it further enacted, That the Number of Carriages to be allowed each Troop or Company in *Ireland*, shall be from time to time regulated by Order of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, in Proportion to the Establishment of such Troop or Company; and the Sums ordered to be advanced as aforesaid, for the Payment of the Carriage of Baggage by the Officer or Officers respectively, shall be to them repaid by the Lords Commissioners of His Majesty's Treasury in *Ireland* for the time being, without Fee or Reward, on Oath made by such Officer or Officers before One of His Majesty's Justices of the Peace, or Chief Magistrate of any City or Corporate Town, of his or their Payment of such Sum or Sums for Carriages as aforesaid, and an Account of the same being produced by the Agent of the Regiment, which Account shall have been certified by the Quarter Master General, to be charged conformably to the Orders of the Lord Lieutenant or Chief Governor or Governors of *Ireland*, and the Regulations prescribed by this Act.

Constables, &c. neglecting Duty.

LXXVII. And be it further enacted by the Authority aforesaid, That if any High Constable or Petty Constable, shall wilfully neglect or refuse to execute such Warrant or Warrants of the Justices of the Peace, as shall be directed unto them for providing Carriages, Horses, Boats, Barges and other Vessels as aforesaid; or shall demand or receive for the Use of the Owners furnishing such Waggons, Wains, Carts, Cars or Carriages, more than the Rates hereinbefore allowed respectively; or if any Person or Persons, appointed by such Constable or Petty Constable to provide or furnish any Carriage, Man, Horse, Boat, Barge or other Vessel, shall refuse or neglect to provide the same; or if such Person or Persons, or any other Person or Persons whatsoever, shall wilfully do any Act or Thing, whereby the Execution of the said Warrant shall be hindered or frustrated, every such Constable, or other Person or Persons so offending, shall, for every such Offence, forfeit any Sum not exceeding Five Pounds, nor less than Forty Shillings, to the Use of the Poor of such Parish or Parishes adjoining to the Parish where such Offence shall be committed, as shall be fixed upon by the Justice or Justices by whom such Offence shall be enquired of, heard and determined: And all and every such Offence and Offences shall and may be enquired of, heard and finally determined, by any One of His Majesty's Justices of the Peace, dwelling in or near the Place where such Offence shall be committed, who has 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) to the Owners.

Penalty.

Offences how determined.

LXXVIII. And

**LXXVIII.** And be it further enacted, That the Constable or Petty Constable to whom such Money shall have been so paid in *Ireland*, is and are hereby required, before the Owner of any Carriage or Horse in *Ireland* shall be compelled to take any Loading, or be forced to proceed in the March with his Carriage, to pay down in Hand to the Owner of such Carriage, or his Servant, the full Sum to which the Owner of such Carriage would be entitled for the March in the said Warrant directed to be made, according to the Rate at which such Constable or Petty Constable shall have been so paid for the same as aforesaid.

Rates paid before Carriages proceed on March.

**LXXIX.** And whereas in consequence of certain Exemptions from Toll, expressly allowed by several Acts of Parliament for His Majesty's Forces on their March, or on Duty, and for the Horses and Carriages attending them, Doubts have arisen whether in all cases not so exempted, the Officers and Soldiers, and the Carriages and Horses, belonging to His Majesty or employed in His Service, and returning therefrom, may not be charged with the Payment of Tolls; therefore, for obviating such Doubts, it is hereby enacted and declared, That all His Majesty's Officers and Soldiers, and their Horses, on Duty or on their March, and all Carriages and Horses belonging to His Majesty, or employed in His Service, and returning therefrom, or employed in His Service, when conveying the Officers, Soldiers, Servants, Women, Children, or other Persons of or belonging to His Majesty's Forces, or the Arms, Clothes, Accoutrements, Tents, Baggage and other Equipage, of or belonging to His Majesty's Forces on their Marches, or any Ordnance, or Barrack, or Commissariat or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, or returning therefrom, were and are, and shall be exempted from Payment of any Duties and Tolls otherwise demandable by virtue of any Act of Parliament already made, or hereafter to be made, for Persons, Horses or Carriages passing Turnpike Roads or Bridges, unless by such Act it has been or shall be expressly provided that the said Officers, Soldiers, Carriages and Horses, are and shall be liable equally with others to the Duties and Tolls therein authorized to be demanded and taken: Provided always, that nothing herein contained shall exempt from the Payment of Tolls any Boats, Barges or other Vessels employed in conveying the Officers, Soldiers, Servants, Women, Children or other Persons of or belonging to His Majesty's Forces, or the Arms, Clothes, Accoutrements, Tents, Baggage and other Equipage, of or belonging to His Majesty's Forces, or any Military Stores, along any Canal, but the same shall be liable to Toll in like manner as other Boats, Barges and Vessels are liable thereto.

Officers and Soldiers, &c. on Duty and Carriages, &c. employed in His Majesty's Service, exempted from Payment of Tolls;

Exception.

**LXXX.** And whereas the respective Sums of Money by this Act appointed to be paid to the Constables by the Officers demanding such Carriages, Horses, Boats, Barges or other Vessels, may not, in many cases, be sufficient to answer the Charge and Expence of providing the same, inasmuch that the said Constables may frequently be at great Charges over and above what is received by them of the said Officers, to the great Burthen of the Townships of which they are Constables, or else the Persons providing such Carriages are grievously oppressed: For Remedy whereof, and that the said Overplus Charge may be borne by each County or Riding at the general Charge of such County or Riding; Be it

Treasurer of County to repay Constables extraordinary Charges.

further enacted by the Authority aforesaid, That the Treasurer or Treasurers of each respective County or Riding shall, without Fee or Reward, pay unto such Constable all and every such reasonable Sum or Sums of Money, so by him paid or laid out for such Carriages, Horses, Boats, Barges and other Vessels, over and above what was or ought to have been paid by the Officer requiring such Carriages, Horses, Boats, Barges and other Vessels, out of the Public Stock of such County or Riding, according to such Rates, Orders, Rules and Directions, as the said Justices of the Peace, in their Quarter Sessions assembled, within their respective Jurisdictions, shall from time to time, during the Continuance of this Act, make, direct and appoint (which Orders shall be made without Fee or Reward); regard being always had to the Season of the Year and the Length and Condition of the Ways by and through which such Carriages, Horses, Boats, Barges and other Vessels, are to travel and pass.

Money for the  
Purposes how  
raised.

LXXXI. And, in case the said Public Stock of the County or Riding be not sufficient (over and above the other Purposes for which it was raised) to satisfy the extraordinary Charge of Carriages, Horses, Boats, Barges and other Vessels before mentioned, it is hereby further enacted, That the said Justices of the Peace, in the General Quarter Sessions, shall have Power from time to time, to raise Monies upon the respective Counties or Ridings, in such manner as they now raise Monies for County Gaols and Bridges, to satisfy the said extraordinary Charge of Carriages, Horses, Boats, Barges and other Vessels.

Officers, &c.  
quartered in  
Scotland, as  
Laws in force at  
the Union direct.

LXXXII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to quarter Officers and Soldiers in *Scotland*, in such and the like Places and Houses as they might have been quartered in by the Laws in force in *Scotland* at the time of its Union with *England*; and that the Possessors of such Houses shall only be liable to furnish the said Officers and Soldiers quartered there, as by the said Laws in force at the time of the said Union was provided; and that no Officer shall be obliged to pay for his Lodging where he shall be regularly billeted, except in the Suburbs of *Edinburgh*.

Carriages in  
Scotland, how  
provided.

LXXXIII. And be it further enacted, That the Carriages for the Service of the Forces from time to time quartered or marching in *Scotland*, shall be provided in like manner, and at the Rates, and the Furnisher of such Carriages shall be paid, as was directed by the Law in force in *Scotland* at the time of its Union with *England*.

How Troops to  
pay in passing  
over Ferries in  
Scotland.

LXXXIV. And be it further enacted, That where any Troops or Parties upon Command have Occasion in their March to pass regular Ferries in that Part of *Great Britain* called *Scotland*, it shall and may be lawful for the Commanding Officer either to pass over with his Party, as Passengers; or to hire the Ferry Boat entirely to himself and his Party, debarring others for that time in his Option; and in case he shall choose to take Passage for himself and Party as Passengers, he shall only pay for himself and for each Person, Officer or Soldier under his Command, Half of the ordinary Rate payable by single Persons at any such Ferry; and in case he shall hire the Ferry Boat for himself and Party, he shall pay Half of the ordinary Rate for such Boat or Boats; and in such Places where there are no regular Ferries, but that all Passengers hire Boats at the Rate they can agree

agree for, Officers, with or without Parties, are to agree for Boats at the Rate as other Persons do in the like cases.

LXXXV. And, for the better Preservation of Game in or near such Place where any Officers or Soldiers shall at any time be quartered, be it enacted by the Authority aforesaid, That if, from and after the said Twenty fourth Day of *March* One thousand eight hundred and thirteen; any Officer or Soldier shall without Leave of the Lord of the Manor, under his Hand and Seal first had and obtained, take, kill or destroy, any Hare, Coney, Pheasant, Partridge, Pigeon, or any other Sort of Fowls, Poultry or Fish, or His Majesty's Game, within the United Kingdom of *Great Britain* and *Ireland*, and upon Complaint thereof shall be, upon Oath of One or more credible Witnesses or Witnesses, convicted before any Justice or Justices of the Peace, who is and are hereby empowered and authorized to hear and determine the same; that is to say, every Officer so offending shall, for every such Offence, forfeit the Sum of Five Pounds, to be distributed among the Poor of the Place where such Offence shall be committed; and every Officer commanding in Chief upon the Place, for every such Offence committed by any Soldier under his Command, shall forfeit the Sum of Twenty Shillings, to be paid and distributed in manner aforesaid: And if upon Conviction made by the Justices of the Peace, and Demand thereof also made by the Constable or Overseers of the Poor, such Officer shall refuse or neglect, and not within Two Days pay the said respective Penalties, such Officer so refusing or neglecting shall forfeit, and he is hereby declared to have forfeited his Commission, and his Commission is hereby declared to be null and void.

LXXXVI. And be it further enacted, That every Person who shall receive inlisting Money from any Officer employed on the Recruiting Service, or from any Non Commissioned Officer or Private Soldier belonging to the Recruiting Party under the Command of such Officer, or from any Person employed on the Recruiting Service, he being an attested Soldier, shall be deemed to be inlisted as a Soldier in His Majesty's Service, and shall while he shall remain with the Recruiting Party be intitled to be billeted and quartered as a Soldier in His Majesty's Service; provided always, that every such Person so inlisted shall be entitled to all the Benefits herein enacted for the Relief of Persons hastily inlisting themselves.

LXXXVII. Provided nevertheless, and it is hereby enacted and declared by the Authority aforesaid, That, from and after the said Twenty fourth Day of *March* One thousand eight hundred and thirteen, when and as often as any Person or Persons shall be inlisted as a Soldier or Soldiers in His Majesty's Land Service, he or they shall within Four Days, but not sooner than Twenty four Hours, after such inlisting respectively, be carried or go with some Officer, Non Commissioned Officer or Private Soldier belonging to the Recruiting Party by which he shall be inlisted, or with the Person employed on the Recruiting Service with whom he shall have inlisted, before some Justice of the Peace of any County, Riding, City or Place, or Chief Magistrate of any City or Town Corporate, residing or being next to, or in the Vicinity of the Place and acting for the Division or District where such Person or Persons shall have been inlisted, and not being an Officer in the Army, and before such Justice or Chief Magistrate he or they shall be at Liberty to declare

Such Persons not paying Inlisting and Substistence Money within limited time deemed inlisted; in which case or if they inlist, the Justices to read over to them certain Sections of Articles of War and administer certain Oaths.

Recruits inlisted under 39 G. 3. c. 109. for E. I. Company's Service, &c. to take Oath of Allegiance.

Recruits inlisted under 50 G. 3. c. 87. to take Oaths in Schedules (G.) and (H.)

his or their Dissent to such inlisting; and upon such Declaration and returning the Inlisting Money, and also each Person so dissenting paying the Sum of Twenty Shillings for the Charges expended or laid out upon him, together with such full Rate allowed by Law for the Substistence or Diet and Small Beer furnished to such Recruit subsequent to the Period of his having been inlisted, such Person or Persons so inlisting shall be forthwith discharged and set at Liberty, in the Presence of such Justice or Chief Magistrate; but if such Person or Persons shall refuse or neglect, within the Space of Twenty four Hours, to return and pay such Money as aforesaid, he or they shall be deemed and taken to be inlisted, as if he or they had given his or their Assent thereto before the said Justice or Chief Magistrate; and if such Person or Persons shall declare his or their having voluntarily inlisted himself or themselves, then such Justice or Chief Magistrate shall and he is hereby required forthwith to read over, or in his own Presence to cause to be read over, to such Person or Persons the Third and Fourth Articles of the Second Section, and the First Article of the Sixth Section, of the Articles of War against Mutiny and Desertion, and to tender and administer to such Person or Persons respectively, not only the Oath of Fidelity mentioned in the said Articles of War, but also the Oath mentioned in the Schedule to this Act annexed marked (A.), or if the Person shall be desirous of inlisting without any Limitation of Period of Service, the Oath in the Schedule to this Act annexed marked (B.); and if such Person or Persons shall take the said Oaths, then such Justice or Chief Magistrate shall, and he is hereby required forthwith to certify under his Hand the inlisting and swearing, together with the Place of the Birth, Age and Calling, if known, of such Person or Persons in the Form mentioned in the Schedule to this Act annexed, marked (C.), if the Oath in the Form marked (A.) shall have been taken, and in the Form marked (D.), if the Oath in the Form marked (B.) shall have been taken, except in the case of Recruits inlisted to serve either in His Majesty's Troops, or in the Forces of the *East India Company*, according as His Majesty shall think fit, in pursuance of an Act passed in the Thirty ninth Year of the Reign of His Majesty, intituled *An Act for better recruiting the Forces of the East India Company*, in which case every such Recruit shall, instead of the said Oath of Fidelity, and of the Oath contained in the Schedule (A.) or (B.) to this Act annexed, take the Oath of Allegiance directed by the said Act of the Thirty ninth of His Majesty, and contained in the Schedule to this Act annexed, marked (E.); and the Justice or Chief Magistrate shall certify such Inlisting and Swearing accordingly in the Form mentioned in the Schedule to this Act annexed, marked (F.); and except also in the case of Recruits inlisted for the special Purpose of serving in the *East Indies*, in the Forces of the *East India Company* only, in pursuance of an Act passed in the Fiftieth Year of the Reign of His Majesty, intituled *An Act to amend Two Acts relating to the raising Men for the Service of the East India Company, and the quartering and billeting such Men; and to Trials by Regimental Courts Martial*, in which case every such Recruit shall, instead of the said Oath of Fidelity, take the Oath directed to be taken by the said Act, of the Fiftieth Year of His present Majesty aforesaid, and contained in the Schedule to this Act annexed, marked (G.), and instead of the Oath of Service contained

contained in the Schedule (A.) or (B.) to this Act annexed, shall take the Oath directed to be taken by the said recited Act of the Fiftieth Year aforesaid, and contained in the Schedule to this Act annexed, marked (H.), and the Justice or Magistrate shall certify such Inlistment and Swearing accordingly, in the Form mentioned in the Schedule to this Act annexed, marked (L.); and if any such Person or Persons, so to be certified, shall willfully refuse to take the said Oath of Fidelity before the said Justice or Chief Magistrate, it shall and may be lawful for such Officer, from whom he has received such Money as aforesaid, to detain and confine such Person or Persons until he or they shall take the said Oath of Fidelity; and every Military Officer that shall act contrary hereto, or offend herein, shall incur the like Penalty and Forfeiture as is by this Act to be inflicted upon any Officer for making a false and untrue Muster; and the Penalty and Forfeiture shall be levied and recovered in the same manner as any Penalties or Forfeitures are by this Act to be levied or recovered: Provided always, that every Non Commissioned Officer or Private Soldier who shall enlist any Recruit, shall at the time of such enlisting enquire the Christian and Surname and Place of Abode of such Recruit, and either take the same down in Writing, or give the same to the Non Commissioned Officer commanding the Recruiting Party to be so taken down; Provided also, that it shall be lawful for any Justice of the Peace to discharge any Person who shall have hastily enlisted, and who shall apply to him to declare his Dissent within such Four Days as aforesaid, upon Payment of the Sum of Money required to be paid by any Recruit declaring his Dissent under this Act, notwithstanding no Officer, Non Commissioned Officer or Private Soldier belonging to the Recruiting Party shall be with the Recruit, if it shall appear to such Magistrate upon the Examination of such Recruit, or if any other Person, that the Recruiting Party has left the Place where such Recruit was enlisted, or that such Recruit could not procure any Non Commissioned Officer belonging to such Party to go with such Recruit before the Justice of the Peace; and the Sum paid by such Recruit upon his Discharge shall be kept by the Justice of the Peace, and paid when demanded to any Person belonging to the Recruiting Party entitled thereto demanding the same: Provided always, that in every case wherein any Person shall have received enlisting Money, and shall have absconded or have absented himself from the Party as aforesaid, so that it shall not be possible immediately to apprehend him, and bring him before a Magistrate, the Officer or Non Commissioned Officer commanding the Party shall produce to the Magistrate before whom the Recruit would regularly have been brought for Attestation, a Certificate of the Name and Place of Residence of such Person, and the Magistrate to whom the Certificate shall be produced shall, after satisfying himself that the Person who had absconded cannot be found and apprehended, transmit a Duplicate thereof to His Majesty's Secretary at War, or if in Ireland the Chief Secretary or Under Secretary as aforesaid, in order that in the Event of such Person being afterwards apprehended and reported as a Defserter, the Facts of his having received enlisting Money, and having absconded, may be ascertained, before he be finally adjudged to be a Defserter as having been duly enlisted.

LXXXVIII. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall receive the enlisting Money from

Penalty.

Name and Residence of Recruits taken down.

Justices may discharge Persons hastily enlisting themselves, on paying enlisting Money.

Magistrates to transmit to Secretary at War Duplicates of Certificates of Name and Residence of Persons receiving enlisting Money, and absconding.

Persons receiving enlisting Money from

Money and absconding, &c. deemed enlisted.

from any such Officer, Non Commissioned Officer, Private Soldier, or other Person employed on the Recruiting Service (knowing it to be such), and shall abscond, or refuse to go before such Justice or Chief Magistrate, or if any Person having received any such enlisting Money as aforesaid, shall thereafter absent himself from the Recruiting Party with which he enlisted, or Person with whom he enlisted, and shall not voluntarily return to such Recruiting Party or Person enlisting him, to go before some Justice of the Peace or Magistrate, under the Provisions of this Act, within such Period of Four Days aforesaid, such Person shall be deemed to be enlisted; and a Soldier in His Majesty's Service, as fully to all Intents and Purposes as if he had been duly attested, and may be apprehended and punished as a Deserter, or for being absent without Leave under any Articles of War made for Punishment of Mutiny and Desertion; nor shall any such Person who shall not have remained with, or who shall not have returned to such Recruiting Party or Person enlisting him as aforesaid, be entitled to be discharged or be discharged by any Justice of the Peace or Magistrate after the Expiration of such Four Days as aforesaid, unless it shall be proved to the Satisfaction of such Justice of the Peace that the true Name and Residence of the Person enlisted was disclosed and known to the Recruiting Party, and that no Notice was given to the Person enlisted or left at his last usual Place of Abode of his having so enlisted.

Persons concealing Infirmities on enlisting transferred to Garrison, Veteran or Invalid Battalions, or Marines.

LXXXIX. And be it further enacted, That any Person who shall enlist into His Majesty's Forces, and who shall be discovered to be incapable of active Service, by reason of any Infirmity which shall have been concealed by such Person, or not declared before the Justice of the Peace at the time of his Attestation, and mentioned at the Foot thereof, may be transferred into any Garrison or Veteran or Invalid Battalion, or into His Majesty's Marine Forces, notwithstanding he shall have enlisted for any particular Regiment; any thing in any Act or Acts of Parliament, or any Rules and Regulations relating to Soldiers, to the contrary notwithstanding.

Persons making false Representations for Purpose of obtaining Bounty, guilty of obtaining Money under false Pretences. 30 G. 2. c. 24.

XC. And be it further enacted, That any Person who shall knowingly, wilfully and designedly make any false Representation of any Particular contained in the Oaths respectively marked (A.) and (B.) and Certificates marked (C.) and (D.) in the Schedule to this Act respectively contained and annexed, before the Justice of the Peace or Magistrate at the time of his Attestation, for the Purpose of obtaining and shall obtain any enlisting Money or any Bounty for entering into His Majesty's Service, or any other Money, shall be deemed guilty of obtaining Money under false Pretences, within the true Intent and Meaning of an Act passed in the Thirtieth Year of the Reign of His late Majesty King George the Second, intituled *An Act for the more effectual Punishment of Persons who shall attain or attempt to attain Possession of Goods or Money by false or untrue Pretences; for preventing the unlawful pawning of Goods; for the easy Redemption of Goods pawned; and for preventing Gaming in Public Houses, by Journeyman, Labourers, Servants and Apprentices; and the Production of such Certificate, and Proof of the Hand-writing of the Justice of the Peace giving such Certificate, shall be sufficient Evidence of such Party having represented the several Particulars contained in the Oath sworn by him, and specified in the Certificate of the Justice at the time of his enlisting.*



XCI. And whereas various Persons are in the Habit of advertising for Recruits for Regiments of the Line, the Militia, and for the Service of the Honourable the *East India* Company, and also under Pretence of procuring Substitutes for the same, to the great Detriment of the Service; Be it therefore further enacted, That all Persons whatever who shall, after the passing of this Act, advertise, post or disseminate Bills for the Purpose of procuring Recruits or Substitutes in any manner whatever, without the express Permission in Writing of the Adjutant General, if for the Line or Militia, or of the Court of Directors, if for the Honourable *East India* Company's Service, or receive any Recruit as aforesaid at his House or Office under any such Bill or Advertisement, shall forfeit the Sum of Twenty Pounds for every such Offence, to be recovered on Conviction before Two Magistrates, One Moiety to the Informer and the other to the Poor of the Parish where such Information shall be laid, and on Default thereof shall be committed to the Common Gaol or other public Prison, at the Discretion of the Magistrates, for any Period not exceeding Three Months, and not less than One Month for each and every such Offence.

Advertising for Recruits authorized.

Penalty.

Imprisonment.

XCII. And be it further enacted, That if any Person duly bound as an Apprentice shall enlist as a Soldier in His Majesty's Land Service, and shall state to the Justice of the Peace, or Magistrate before whom he shall be carried, that he is not an Apprentice, every such Person so offending, and being thereof duly convicted, shall be and is hereby declared to be subject and liable to be imprisoned in any Gaol or House of Correction, and kept to hard Labour for Two Years, may be indicted and punished for obtaining Money under false Pretences under the Provisions of the said recited Act of the Thirtieth Year of the Reign of His late Majesty King *George* the Second, and shall, after the Expiration of his Apprenticeship, whether such Person shall have been so convicted and punished or not, be liable to serve as a Soldier in any Regiment of His Majesty's Regular Forces; and if, on the Expiration of his Apprenticeship, he shall not deliver himself to some Officer authorized to receive Recruits, may be taken as a Deserter from His Majesty's Forces.

Apprentices enlisting themselves.

Punishment.

30 G. 2, c. 24-  
§ 1, 2.

XCIII. And be it further enacted, That no Master in *England* shall be entitled to claim any Apprentice, who shall, after the passing of this Act, enlist as a Soldier in His Majesty's Land Service, unless such Apprentice shall have been bound to him in *England* for the full Term of Seven Years, not having been above the Age of Fourteen when so bound; and if in *Ireland* for the full Term of Five Years at the least, not having been above the Age of Sixteen when so bound, and unless such Master shall, within One Calendar Month after such Apprentice shall have absconded or left his Service, go before such Justice of the Peace or Magistrate, and before such Justice of the Peace or Magistrate take the Oath mentioned in the Schedule of this Act annexed, marked (G.), and produce the Certificate of such Justice of the Peace or Magistrate of his having taken such Oath, which Certificate such Justice of the Peace or Magistrate is hereby required to give in the Form in the Schedule to this Act annexed, marked (L.).

Masters in England in what case not entitled to claim Apprentices.

Oath.

XCIV. And be it further enacted, That no Master in *Scotland* shall be entitled to claim any Apprentice who shall, after the passing of this Act, enlist as a Soldier in His Majesty's Land Service, unless such

How Masters in Scotland shall proceed to re-

cover Appren-  
tices.

such Apprentice shall have been bound to him for the full Term of at least Four Years by a regular Contract or Indenture of Apprenticeship, duly extended, signed and tested, and binding on both Parties by the Law of *Scotland*, prior to the Period of Inlistment, and unless such Contract or Indenture so duly executed, shall, within Three Months after the Commencement of the Apprenticeship, and before the Period of Inlistment, have been produced to a Justice of the Peace of the County wherein the Parties reside, and there shall have been indorsed thereon by such Justice a Certificate or Declaration signed by him, specifying the Date when, and the Person by whom such Contract or Indenture shall have been so produced, which Certificate or Declaration such Justice of the Peace is hereby required to indorse and sign, and unless such Apprentice shall, when claimed by such Master, be under Twenty one Years of Age, and unless such Master shall, within One Calendar Month after such Apprentice shall have absconded or left his Service, go before some Justice of the Peace, and before such Justice of the Peace take the Oath mentioned in the Schedule to this Act annexed, marked (K.), and produce the Certificate of such Justice of the Peace of his having taken such Oath, which Certificate such Justice of the Peace is hereby required to give in the Form in the Schedule to this Act annexed, marked (L.).

Masters in Scot-  
land, in what  
case not pre-  
cluded from  
claiming Ap-  
prentices.

52 G. 3. c. 22.  
§ 85.

Masters of Ap-  
prentices inlist-  
ing consenting,  
entitled to receive  
Part of Bounty  
Money.

Apprentices  
claimed by  
Masters carried  
before a Justice  
and committed.

XCV. Provided always, and be it further enacted, That no Master in *Scotland* shall be precluded from claiming any Apprentice who shall hereafter inlist, by reason of the Contract or Indenture not having been produced to a Justice of the Peace in the manner directed by the Act of the last Session of Parliament, intituled *An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters*, within the time therein limited, provided the same shall be produced to any Justice of the Peace of the County wherein the Parties reside, and be indorsed as therein directed, at any time within Three Months after the passing of this Act.

XCVI. And be it further enacted, That any Master of any Apprentice who shall have inlisted as a Soldier in His Majesty's Land Forces shall, upon his consenting to give up the Indentures of Apprenticeship within One Month after the inlisting of such Apprentice as a Soldier, be entitled to receive to his own Use so much of the Bounty payable to such Recruit, after deducting therefrom Two Guineas, which shall be reserved in order to provide the said Recruit with Necessaries, as shall not have been paid to such Recruit before Notice given of his being an Apprentice.

XCVII. And be it further enacted, That no Apprentice, who shall be claimed by his Master, shall be taken from the Regiment, Troop or Recruiting Party, with which he shall be, but under a Warrant granted by some Justice of the Peace or Magistrate of the County, Stewartry, Riding, Division, City, Liberty or Place, and residing near to the Place where such Apprentice shall happen to be when so claimed; and it shall be lawful for such Justice of the Peace or Magistrate, and such Justice of the Peace or Magistrate is hereby required, on Proof on Oath of Notice having been given to the Officer commanding the Regiment or Troop or Company or the Recruiting Party with which such Apprentice shall then be, or some Non Commissioned Officer of such Recruiting Party, of such Warrant, and that a Copy thereof has been left with such Officer or Non Commis-

tioned Officer, and of such Person being an Apprentice, and having enlisted and declared that he was no Apprentice, and on Production and Proof of the Indenture of Apprenticeship, to commit such Person so offending as aforesaid, if required so to do by such Officer or Non Commissioned Officer as aforesaid, to the Common Gaol of the County, Stewartry, Riding, Division, City, Liberty or Place, where such Person shall be at the time when he shall be so claimed by his said Master, there to remain until he shall be discharged by due Course of Law, or, if not so required, to deliver such Apprentice to his Master.

**XCVIII.** And be it further enacted, That it shall be lawful for the Justice of the Peace or Magistrate, so residing near to the Place where the Apprentice shall be claimed as aforesaid, except in *Scotland*, as hereinafter mentioned, before whom such Person so offending shall be so taken as aforesaid, to examine into the Matters alleged against such Person upon Oath, and which Oath the said Magistrate is hereby empowered to administer; and also to keep in his Custody the Indenture of Apprenticeship, to be produced as Occasion shall require, and to bind over the Master claiming such Person, and any other Persons he may think proper, to give Evidence at the General or Quarter Sessions of the Peace, or Session of *Oyer and Terminer*, at which the Trial of such Person is hereinafter directed to be had, against such Person so offending; and the Production of such Indenture of Apprenticeship, with the Certificate of the Justice of the Peace or Magistrate that the same was proved before him, shall be sufficient Evidence of such Indenture of Apprenticeship.

**XCIX.** And be it further enacted, That every such Offender, except in *Scotland*, as hereinafter mentioned, may and shall be tried at the General or Quarter Sessions of the Peace, or Sessions of *Oyer and Terminer* for the County, Riding, Division, City, Liberty or Place, wherein the Offence charged shall have been committed, next after such Offender's being brought before such Justice of the Peace or Magistrate as aforesaid, or the Sessions immediately succeeding such next Sessions, unless the Court shall think fit to put off the Trial on just Cause.

**C.** And be it enacted, That every such Offender in *Scotland* shall and may be tried by the Judge Ordinary in such County or Stewartry, in such and the like manner as any Person may be tried in *Scotland* for any Offence not inferring a Capital Punishment.

**CI.** And be it further enacted, That every Gaoler to whom any Notice shall have been given that any Person in his Custody for any Offence is a Soldier liable to serve His Majesty on the Expiration of his Imprisonment, shall give One Month's Notice to the Secretary at War, or if in *Ireland* to the Chief Secretary, or in his Absence to the Under Secretary for the Military Department, before the Day on which the Imprisonment of such Person will expire, according to his Commitment or Sentence, of the Period of Expiration of such Imprisonment.

**CII.** Provided always, and it is hereby further enacted, That no Person whatever except an Apprentice, who has enlisted or shall enlist himself into His Majesty's Service as a Soldier as aforesaid, shall be liable to be arrested or taken out of His Majesty's Service, by reason of the Warrant of any Magistrate or Magistrates, on account of any Breach of Contract or Engagement to serve or work for any Master or Employer whatsoever.

Justices to examine upon Oath, and to keep Indenture to be produced on Trial.

Offenders tried at next Quarter Sessions,

in *Scotland* by Judge Ordinary.

Gaolers to give previous Notice to Secretary at War, &c. of Expiration of Imprisonment of Soldiers.

No Person except Apprentice liable to be taken out of Service, for Breach of Contract.

**CIII.** Pro-

In what case Ser-  
vants entitled to  
Wages up to  
time of inlisting.

CIII. Provided always, and be it further enacted, That if any Person who shall have been hired to serve any Master for a Year or otherwise, shall, before the Expiration of his Term of Service under such Hiring, inlist into His Majesty's Service, such Person shall be entitled to such Proportion of Wages as the Magistrate shall think proper from his Master, for the time he has actually served under such Hiring, notwithstanding he shall have failed, in consequence of such inlisting, in completing the full Term of Service agreed for under such Hiring.

Where Corps  
beyond Seas re-  
lieved in order to  
return Home,  
such of the Men  
as choose may  
inlist, &c.

CIV. And be it further enacted, That when and as often as any Regiment or Company shall be relieved at any Station or Place beyond the Seas, in order to their Return to *Great Britain or Ireland*, it shall and may be lawful for any Officer or Officers thereunto authorized by the Officer commanding in Chief at such Station or Place respectively, to inlist as many of the Soldiers belonging to such Regiment or Company, returning to *Great Britain or Ireland*, as shall be willing, and who shall appear to be fit for Service, and to incorporate them in any Regiment or Company which shall be appointed to remain; and every Soldier so inlisted shall be and is hereby deemed to be discharged from the Regiment or Company in which he before served; and the Occasion of his quitting such former Corps shall be recited in the inlisting Certificate; a Duplicate, or an attested Copy whereof, shall be delivered to such Soldier, to protect him from being any ways molested upon Suspicion of his having deserted.

Soldiers entitled  
to Discharge,  
sent Home free  
of Expence, and  
have Conduct  
and Marching  
Money Home.

CV. And be it further enacted, That every Soldier entitled to his Discharge under any Orders or Regulations made by His Majesty, or upon the Expiration of any Period for which he shall have engaged to serve, shall, if then serving abroad, be sent to *Great Britain or Ireland* free of Expence, and, on his Return be entitled to and have and receive Marching Money from the Place of his being landed to the Parish or Place in which he shall have been originally inlisted, at the Rate *per Diem* fixed for victualling Soldiers on the March, reckoning Ten Miles for each Day's March; and every Soldier so entitled to his Discharge, who shall be discharged at any Place in the United Kingdom other than that in which he shall have been attested, shall be entitled to the like Marching Money, from the Place of his Discharge to the Place of his Attestation as aforesaid.

Justices may  
commit Deten-  
tars.

CVI. And whereas several Soldiers, being duly listed, do afterwards desert, and are often found wandering, or otherwise absenting themselves illegally from His Majesty's Service, it is hereby further enacted, That it shall and may be lawful for the Constable, Headborough or Tithingman of the Town or Place where any Person who may be reasonably suspected to be such a Deserter shall be found, or for any Officer or Soldier in His Majesty's Service, to apprehend or cause such suspected Person to be apprehended, and to bring or cause him to be brought before any Justice of the Peace, living in or near such Town or Place, who hath hereby Power to examine such suspected Person; and if by his Confession, or the Testimony of One or more Witness or Witneses upon Oath, or by the Knowledge of such Justice of the Peace, it shall appear or be found that such suspected Person is a listed Soldier, and ought to be with the Troop or Company to which he belongs, such Justice of the Peace shall forthwith cause him to be conveyed to the Gaol of the County of  
Place

Place where he shall be found, or the House of Correction, or other public 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 City of *London* or *Westminster*, or Places adjacent; or to the Provost Marshal in case such Deserter shall be apprehended within the City or Liberties of *Dublin*, or Places adjacent, and transmit an Account thereof in the Form prescribed in the Schedule annexed to this Act marked (N.), to the Secretary at War for the time being in *London*; or if the Deserter be apprehended in *Ireland*, to the Chief Secretary to the Chief Governor or Governors thereof, to the end that such Person may be removed by an Order from the Office of the said Secretary at War, or Chief Governor or Governors, and proceeded against according to Law; and the Keeper of every Gaol, House of Correction or Prison, in which such Deserter shall at any time be confined, shall receive such Subsistence for the Maintenance of such Deserter during the time that he shall continue in his Custody, as by His Majesty's Regulations is or shall from time to time be directed in that Behalf; and the Keeper of every Gaol, House of Correction or other public Prison of the City, Town or Place, at or in which the Party or Person conveying such Deserter shall halt on the March, shall, and he is hereby required to receive and confine every such Deserter, who shall be delivered into his Charge and Custody by any Non Commissioned Officer or Soldier who shall be conveying such Deserter under any lawful Order, Warrant or Authority, while on the Road from the Place where he was apprehended, to the Place to which he is to be conveyed, without any other Warrant or Authority for so doing than the Production of the Warrant of the Justice of the Peace, on which such Deserter shall have been taken, or some Order from the Office of the Secretary at War, or of the Chief Governor or Governors of *Ireland*, and shall be entitled to One Shilling for the safe Custody of the said Deserter, while the Party or Person conveying him shall halt on the March; any Law, Usage or Custom to the contrary notwithstanding.

Keepers of  
Gaols, &c. on  
the March to  
receive Deserters.

Fee.

CVII. And, for the better Encouragement of any Person or Persons to secure or apprehend such Deserters from His Majesty's Service, 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 in *Great Britain*, where any Deserter shall be so committed, or in *Ireland* to the Collector or Collectors of His Majesty's Revenue in the District where any Deserter shall be so committed, for paying out of the Land Tax Money or Revenue arisen or to arise in the Year One thousand eight hundred and thirteen, into the Hands of such Person or Persons as shall apprehend, or cause to be apprehended, any Deserter from His Majesty's Service, the Sum of Twenty Shillings for every such Deserter as shall be 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.

Reward for taking  
up Deserters.

CVIII. And be it further enacted, That any Person who shall voluntarily surrender or deliver himself up as a Deserter from any Regiment or Corps of His Majesty's Regular or Militia Forces, or who upon being apprehended for Desertion or any other Offence shall in the Presence of the Magistrate confess himself to be a Deserter from

Person confessing  
himself a  
Deserter, deemed  
duly indicted.

from any such Regiment or Corps, shall be deemed to have been duly enlisted, and to be a Soldier, and shall be liable to serve in any such Regiment or Battalion or Corps of His Majesty's Forces, as His Majesty shall think fit to appoint, whether such Person shall have been ever actually enlisted as a Soldier or not.

Concealing De-  
fenders.

CIX. Provided always, and be it enacted, That if any Person shall harbour, conceal or assist any Defenter from His Majesty's Service, knowing him to be such, the Person so offending shall forfeit for every such Offence the Sum of Twenty Pounds; and upon Conviction, by the Oath of One or more credible Witness or Witnesses, before any of His Majesty's Justices of the Peace, the said Penalty of Twenty Pounds shall be levied, by Warrant under the Hand of such Justice 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, and the other Moiety to be paid to the Colonel or other Officer commanding the Regiment or Corps to which any such Defenter did belong; and in case any such Offender, who shall be convicted as aforesaid of harbouring, concealing or assisting any such Defenter, shall not have sufficient Goods and Chattels whereon Distress may be made, to the Value of the Penalty awarded against him or her for such Offence, or shall not pay such Penalty within Four Days after such Conviction, then and in such case such Justice of the Peace shall and may, by Warrant under his Hand and Seal, commit such Offender to the Common Gaol, there to remain without Bail or Mainprize, for the Space of Six Months: Provided also, that if any Person shall knowingly

Receiving Arms,  
&c. of Soldiers  
or Defenters,  
&c.

detain, buy or exchange, or otherwise receive from, any Soldier or Defenter, or any other Person, upon any Account or Pretence whatsoever, any Arms, Clothes, Caps or other Furniture, belonging to the King, or any Meat, Drink, Beer or other Provision provided under any Regulations relating thereto, or any such Articles belonging to any Soldier or Defenter, as are generally deemed Regimental Necessaries, according to the Custom of the Army, being provided for the Soldier, and paid for by Deductions out of his Pay, or cause the Colour of any such Clothes to be changed, the Person so offending shall forfeit for every such Offence the Sum of Five Pounds; or if any Person shall buy or receive any Oats, Hay, Straw or other Forage, provided for the Use of any Horse or Horses belonging to His Majesty's Service, from any Dragoon or other Soldier, knowing him to be such, or shall move, procure, counsel, solicit or entice any Dragoon or other Soldier, knowing him to be such, to sell or otherwise dispose of any such Oats, Hay, Straw or other Forage as aforesaid, the Person so offending shall forfeit for every such Offence the Sum of Five Pounds; and upon Conviction, by the Oath of One or more credible Witness or Witnesses, before any of His Majesty's Justices of the Peace, the said respective Penalties of Five Pounds, and Five Pounds, shall be levied by Warrant under the Hand of such Justice of the Peace, by Distress and Sale of the Goods and Chattels of the Offender, One Moiety of the said first mentioned Penalty of Five Pounds to be paid to the Informer, and One Moiety of the said last mentioned Penalty of Five Pounds to be paid to the Informer, and the Residue of the said respective Penalties to be paid to the Colonel or other Officer commanding the Regiment or Corps

Penalty.  
Buying Oats,  
Hay or Forage  
provided for His  
Majesty's Ser-  
vice.

Penalty.

Distress.

to

to which any such Defeater or Soldier did belong; and in case any such Offender who shall be convicted as aforesaid, of having knowingly received any Arms, Clothes, Caps or other Furniture belonging to the King, or any such Meat, Drink, Beer or other Provisions, or any such Articles generally deemed Regimental Necessaries, or of having caused the Colour of such Clothes to be changed, or of having bought or received any Oats, Hay, Straw or other Forage, provided for the Use of any Horse or Horses belonging to His Majesty's Service from any Dragoon or other Soldier, knowing him to be such, or of having moved, procured, counselled, solicited or enticed any Dragoon or other Soldier, knowing him to be such, to sell or otherwise dispose of any such Oats, Hay, Straw or other Forage as aforesaid, 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 or her for such Offence, or shall not pay such Penalties upon such Conviction, or give sufficient Security for Payment thereof within the Space of Four Days from such Conviction, then and in such case such Justice of the Peace shall and may, by Warrant under his Hand and Seal, either commit such Offender to the Common Gaol, there to remain without Bail or Mainprize, for the Space of Three Months, or cause such Offender to be publicly or privately whipped at the Discretion of such Justice.

Receivers, &amp;c.

Imprisonment.

CX. Provided always, That no Commissioned Officer shall break open any House to search for Deserters, without Warrant from a Justice of the Peace; and that every Commission Officer who shall without Warrant from One or more of His Majesty's Justices of the Peace (which said Warrants the said Justice or Justices are hereby empowered to grant), forcibly enter into or break open the Dwelling House or Out Houses of any Person whomsoever, under Pretence of searching for Deserters, shall, upon due Proof thereof, forfeit the Sum of Twenty Pounds.

Officer breaking open House without Warrant.

CXI. And whereas Soldiers, absent from their Regiments on Furlough granted to them by their Commanding Officers, are sometimes prevented by Sickness or other unavoidable Casualty from returning to their Duty before the Expiration of the time limited by such Furlough, and Doubts have arisen whether in such cases the Extension of a Soldier's Furlough by a Justice of the Peace be sanctioned by legal Authority, and effectual for preventing such Soldier from being apprehended upon Suspicion of his having deserted his Regiment; Be it further enacted, That any Inspecting Field Officer stationed on the Recruiting Service, or any Officer of the Rank of Captain, or of superior Rank, or any Adjutant of Local Militia, stationed within the District, or in case there be no such Officer as aforesaid within a convenient Distance, that any Justice of the Peace may, and he is hereby authorized to grant, in Writing under his Hand, an Extension of Furlough to any Non Commissioned Officer or Soldier applying for the same, on account of Sickness or other Casualty, which shall, on due Enquiry, appear to render such Extension necessary; and that every such Officer or Justice of the Peace, who shall grant to any Non Commissioned Officer or Soldier an Extension of Furlough as aforesaid, shall immediately certify the same, with the cause of its being so granted, to the Agent of the Regiment to which such

Penalty.

Justices may grant an Extension of Furlough to any Non Commissioned Officer or Soldier applying for the same on account of Sickness, &amp;c.

Non Commissioned Officer or Soldier shall belong; and that such Non Commissioned Officer or Soldier, during the Period to which his Furlough shall have been so extended as aforesaid, shall not be liable to be apprehended or otherwise molested on the ground of his having deserted the Regiment to which he shall appear by his Furlough to belong, or of criminally absenting himself from the same: Provided always, that nothing in this Act contained shall be construed to exempt any Non Commissioned Officer or Soldier, whose Furlough shall have been so extended as aforesaid, from being proceeded against and punished according to the Provisions of this Act, should it thereafter appear that such Non Commissioned Officer or Soldier had obtained the Extension of his Furlough by false Representation made to such Officer or Justice of the Peace as aforesaid, or in applying for and obtaining the same had committed any Offence to the Prejudice of good Order and Military Discipline: Provided also, that no such Furlough shall be extended by any Justice of the Peace for any longer Period than One Month, unless with the Approbation of the General Officer commanding in the District where such Soldier shall be.

Proviso.

Justices of Peace granting Extension of Furlough, empowered to order Parish Officers to advance Pay to Soldiers.

CXII. Provided always, and be it further enacted, That in all cases in which any Extension of Furlough shall be granted as aforesaid in *England*, and upon the Request of any such Non Commissioned Officer or Soldier to whom the same shall be granted, it shall be lawful for the Justice of the Peace granting the same, or where the same shall be granted by any such Officer as aforesaid, for any Justice of the Peace, upon the Production of a Certificate in Writing from such Officer, which he is hereby required to give, to make an Order in Writing, in the Form in the Schedule to this Act annexed, marked (O.), under his Hand, upon the Churchwardens and Overseers of the Poor of the Parish, Township or Place wherein such Non Commissioned Officer or Soldier shall reside, requiring them to pay to such Non Commissioned Officer or Soldier any Sum of Money directed in such Order, not exceeding what the Pay of such Non Commissioned Officer or Soldier would amount to for the Period to which such Furlough shall be extended as aforesaid; such Justice of the Peace taking particular Care to state upon the Furlough in Words the Amount so directed by him to be paid, and the Periods from and to which the same has been ordered to be issued, both inclusive, corroborating the Statement by his Signature, and further, specifying upon the Order to the Parish Officer the Date of the Furlough originally granted, and the Name of the Commanding Officer by whom signed; and the same so authorized shall be paid accordingly, upon Production and Delivery to him of such Order, by any such Parish Officer out of any Money in his Hands applicable to the Relief of the Poor; and the Sum so advanced by such Parish Officer shall, upon the Production and Delivery of such Order to the Collector of Excise of the District within which such Parish, Township or Place shall be situated, or any Person officiating for such Collector, be repaid to such Parish Officer, to be applied to the Relief of the Poor, by such Collector of Excise or other Person out of any public Monies in his Hands, and the same shall be allowed in his Accounts, and such Orders of Justices shall be taken as Cash in the Payment of Duties of Excise received by him; and all Sums of Money so advanced out of any Duties of Excise shall be repaid to the Account of the

Re-imbursed by Collectors of Excise.

Agents of Regiments to repay



the said Duties by the Agents of the Regiments to which the Men to whom the same shall have been paid shall respectively belong, to any Person or Persons authorized by the Commissioners of Excise in *England*, or any Three or more of them, to draw for and receive the same: Provided always, that if any Justice of Peace shall not think fit to make such Order for paying any such Money as aforesaid, he shall state his Reasons for such Refusal in Writing at the Back of the Furlough.

Money so advanced.

Proviso.

**CXIII.** Provided also, and be it further enacted, That in all cases in which any Extension of Furlough shall be granted as aforesaid in *Scotland*, and upon the Request of any such Non Commissioned Officer or Soldier to whom the same shall be granted, it shall be lawful to the Justice of the Peace granting the same, or where the same shall be granted by any such Officer as aforesaid, for any Justice of the Peace upon the Production of a Certificate in Writing from such Officer, which he is hereby required to give, to make an Order in Writing, under his Hand, upon the Collector of the Excise of the District wherein such Non Commissioned Officer or Soldier shall reside, or the Person officiating for such Collector, requiring him to pay to such Non Commissioned Officer or Soldier any Sum of Money directed in such Order, not exceeding what the Pay of such Non Commissioned Officer or Soldier would amount to for the Period to which such Furlough shall be extended as aforesaid; such Justice of the Peace taking particular Care to state upon the Furlough in Words the Amount so directed by him to be paid, and the Periods from and to which the same has been ordered to be issued, both inclusive, corroborating the Statement by his Signature, and further specifying upon the Order to such Collector of the Excise, or other Person officiating for him, the Date of the Furlough originally granted, and the Name of the Commanding Officer by whom signed, and the Sum so authorized shall be paid accordingly upon Production and Delivery to him of such Order by such Collector of Excise or other Person, out of any Public Monies in his Hands, and the same shall be allowed in his Accounts, and such Orders of Justices shall be taken as Cash in the Payment of Duties of Excise received by him; and all Sums of Money so advanced out of any Duties of Excise shall be repaid to the Account of the said Duties by the Agents of the Regiments to which the Men to whom the same shall have been paid shall respectively belong, to any Person or Persons authorized by the Commissioners of Excise in *Scotland*, or any Three or more of them, to draw for and receive the same: Provided always, that if any Justice of the Peace shall not think fit to make such Order for paying any such Money as aforesaid, he shall state his Reasons for such Refusal in Writing at the Back of the Furlough.

Justices of Peace granting Extension of Furlough in *Scotland* empowered to order Collectors of Excise to advance Pay to Soldiers.

Agents of Regiments to repay Money advanced.

Proviso.

**CXIV.** And, to prevent, as far as may be, any unjust or fraudulent Arrests that may be made upon Soldiers, whereby His Majesty and the Public may be deprived of their Service, it is hereby further enacted by the Authority aforesaid, That no Person whatsoever, who is or shall be listed, or who shall list and enter himself as a Volunteer in His Majesty's Service as a Soldier, shall be liable to be taken out of His Majesty's Service by any Process or Execution whatsoever, other than for some Criminal Matter, unless for a real Debt, or other just Cause of Action; and unless, before the taking out of such Process or Execution (not being for a Criminal Matter), the Plaintiff or

Volunteer not liable to Process unless for some Criminal Matter; or for Debt of 20l.

Oath of Debt  
before a Judge.

Plaintiffs therein, or some other Person or Persons on his or their Behalf, shall make Affidavit before One or more Judge or Judges of the Court of Record, or other Court, out of which such Process or Execution shall issue, or before some Person authorized to take Affidavits in such Courts, that to his or their Knowledge the original Sum justly due and owing to the Plaintiff or Plaintiffs from the Defendant or Defendants, in the Action or Cause of Action on which such Process shall issue, or the original Debt for which such Execution shall be sued out, amounts to the Value of Twenty Pounds at least, over and above all Costs of Suit in the same Action, or in any other Action on which the same shall be grounded; a Memorandum of which Oath shall be marked on the Back of such Process or Writ; for which Memorandum or Oath no Fee shall be taken: And if any Person shall nevertheless be arrested contrary to the Intent of this Act, it shall and may be lawful for One or more Judge or Judges of such Court, upon Complaint thereof made by the Party himself, or by any his superior Officer, to examine into the same by the Oath of the Parties or otherwise, and by Warrant under his or their Hands and Seals, to discharge such Soldier so arrested contrary to the Intent of this Act, without paying any Fee or Fees, upon due Proof made before him or them, that such Soldier so arrested was legally enlisted as a Soldier in His Majesty's Service, and arrested contrary to the Intent of this Act; and also to award to the Party so complaining such Costs as such Judge or Judges shall think reasonable; for the Recovery whereof he shall have the like Remedy that the Person who takes out the said Execution might have had for his Costs, or the Plaintiff in the like Action might have had for the Recovery of his Costs, in case Judgment had been given for him with Costs against the Defendant in the said Action.

Memorandum  
thereof marked  
on Back of Pro-  
cess.

· CXV. And, to the end that honest Creditors who aim only at the Recovery of their just Debts due to them from Persons entering into and listing in His Majesty's Service, may not be hindered from suing for the same, but on the contrary may be assisted and forwarded in their Suits; and instead of an Arrest, which may at once hurt the Service, and occasion great Expence and Delay to themselves, may be enabled to proceed in a more easy and cheap Method, Be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Plaintiff or Plaintiffs, upon Notice first given in Writing of the Cause of Action to such Person or Persons so entered, or left at his or their last Place of Residence before such listing, to file a Common Appearance in any Action to be brought for or upon account of any Debt whatsoever, so as to entitle such Plaintiff to proceed therein to Judgment and Outlawry, and to have an Execution thereupon, other than against the Body or Bodies of him or them so listed as aforesaid; this Act, or any thing herein, or any former Law or Statute to the contrary notwithstanding.

Plaintiff may file  
Common Ap-  
pearance.

CXVI. And be it enacted by the Authority aforesaid, That, from the passing of this Act, no Soldier being arrested or confined for Debt in any Prison, Gaol or other Place, shall be entitled to any Part of his Pay from the Day of such Arrest or Confinement, until the Day of his Return to the Regiment, Troop or Company to which he shall belong.

Confined for  
Debt, not to  
receive Pay.

CXVII. And be it further enacted, That all Commissaries, upon making up their Accounts, and also upon returning from any Foreign Service

Commissaries  
upon making up  
Accounts, or

Service shall take the Oath described in the Schedule to this Act annexed, marked (M.), which Oath, if taken in any Part of the United Kingdom, shall be taken before some Justice of the Peace, or Magistrate, and if taken on Foreign Service, before the Officer commanding in Chief, or the Second in Command, or the Quarter Master or Deputy Quarter Master General, or any Assistant Quarter Master General of the Army to which he shall be attached, who shall respectively have Power to administer the same.

returning from Foreign Service, to take Oath.

CXVIII. And be it further enacted by the Authority aforesaid, That every Paymaster or other Commissioned Officer of His Majesty's Forces, or any Storekeeper, or Commissary, or Deputy or Assistant Commissary, or other Person employed in the Commissariat Department, or in any manner in the Care or Distribution of any Money, Provisions, Forage or Stores, belonging to His Majesty's Forces, or for their Use, who shall embezzle or fraudulently misapply, or cause to be embezzled or fraudulently misapplied, or shall knowingly or wilfully permit or suffer any Money, Provisions, Forage, Arms, Clothing, Ammunition or other Military Stores, to be embezzled or fraudulently misapplied, or to be spoiled or damaged, may be tried for the same by and before a General Court Martial, and it shall be lawful for such Court Martial to adjudge any such Paymaster, or other Commissioned Officer, Storekeeper or Commissary, or Deputy or Assistant Commissary, or other Person, to be transported as a Felon for Life, or for any certain Term of Years, or to suffer such Punishment of Pillory, Fine, Imprisonment, Dismissal from His Majesty's Service, and Incapacity of serving His Majesty in any Office Civil or Military, as any such Court shall think fit, according to the Nature and Degree of the Offence, and every such Officer or Person shall, in Addition to any other Punishment, make good, at his own Expence, the Loss and Damage sustained which shall have been ascertained by such Court Martial; and the Loss and Damage so ascertained as aforesaid may be recovered in any of His Majesty's Courts of Record at *Westminster*, or in any other Courts of Law having Jurisdiction, where any Person adjudged by a Court Martial to have incurred any such Penalties, or to make good any such Losses or Damages, shall be resident after the said Judgment shall be confirmed and made known; and after the said Sum shall be recovered and levied, the same shall be applied and disposed of as His Majesty shall direct and appoint.

Officers, Storekeepers, &c. embezzling, &c. Military Stores, &c. tried by Court Martial.

Penalty.

How applied.

CXIX. And be it further enacted by the Authority aforesaid, That every Non Commission Officer who shall be convicted, at a General or Regimental Court Martial, of having embezzled or misapplied any Money with which he may have been entrusted, for the Payment of the Men under his Command, or for enlisting Men into His Majesty's Service, shall be reduced to serve in the Ranks as a private Soldier, and be put under Stoppages until the Money be made good, and suffer such Corporal Punishment (not extending to Life or Limb) as the Court Martial shall think fit.

Non Commission Officers embezzling Soldiers' Pay, &c. reduced, &c.

CXX. And be it further enacted by the Authority aforesaid, That, from and after the said Twenty fourth Day of *March* One thousand eight hundred and thirteen, no Paymaster General, or Paymaster of the Army, Paymaster of the Marines, Secretary at War, Commissary, Muster Master, Paymaster of a Corps or District, or any other Officer whatsoever, or their Under Officers, shall receive

No Preference, &c. to make Deduction out of Officers or private Men's Pay.

any Fees, or make any Deductions whatsoever, out of the Pay of any Officer or Soldier in His Majesty's Army, or from their Agents, which shall grow due from and after the said Twenty fourth Day of *March* One thousand eight hundred and thirteen, other than the usual Deductions allowed by His Majesty's Regulations; and such other necessary Deductions as shall from time to time be required to be made under any Act of Parliament now in force, or hereafter to be made or directed by His Majesty, under His Royal Sign Manual.

Treasury may  
issue out Money  
for Clothing  
every Six  
Months.  
Paid to Persons  
having Assign-  
ments.

CXXI. And, for the Encouragement of the due and well clothing of the Troops, be it hereby further enacted, That the Lord High Treasurer, or the Commissioners of the Treasury for the time being, may, if he or they see convenient, at the End of every Six Months, issue the Money due for the Clothing of the several Regiments, Troops and Companies: And the Paymaster General for the time being is hereby directed to notify the Receipt of the Money to the Secretary at War, who shall immediately grant his Warrant for the Payment of the Proper Sum or Sums to such Person or Persons only as have a regular Assignment, from the Colonel or Commandant or Person authorized by him to make such Assignment.

Paymasters,  
Agents, &c.  
detaining Pay.

CXXII. And be it further enacted, That if any Paymaster Agent or Clerk of any Garrison, Regiment, Troop or Company, shall unlawfully detain or withhold, for the Space of One Month, the Pay of any Officer or Soldier (Clothes and all other just Allowances being deducted), after such Pay shall be by him or them received; or if any Officers having received their Soldiers Pay, shall refuse to pay each Non Commissioned Officer and Soldier their respective Pay when it shall become due, according to the several Rates established by His Majesty's Orders, then upon Proof thereof before a Court Martial, as aforesaid, to be for that Purpose duly held and summoned, every such Paymaster, Agent, Clerk or Officer, so offending, shall be discharged from his Employment, and shall forfeit to the Informer, upon Conviction before the said Court, One hundred Pounds, to be levied as aforesaid, and the Informer, if a Soldier (if he demands it) shall be and he is hereby discharged from any further Service; any thing in this Act contained to the contrary notwithstanding.

Penalty.

CXXIII. And, for enforcing a prompt Observance of the Rules and Orders established, or to be established for the due Appropriation of the Public Funds applicable to Army Services, and that a true and regular Account may be kept and rendered by the Agents of the several Garrisons, Regiments and Independent Troops and Companies, the said Agents are hereby required and directed to observe such Orders and Directions as shall from time to time be given by His Majesty, under His Sign Manual, or by the Secretary at War for the time being, by His Majesty's Command, or by His Majesty's Chief Governor or Governors of *Ireland*, or by the Lord Treasurer or Commissioners of the Treasury for the time being; and if any Agent shall refuse or neglect to observe and comply with such Orders and Directions, he shall for the first Offence forfeit the Sum of One hundred Pounds, to be recovered by Action of Debt or Information, for the Use of His Majesty; and for the Second Offence, be discharged from his Employment as Agent of the Garrison, Regiment, Battalion, Independent Troop or Company, in relation to which he shall

Agents disobey-  
ing Orders.

First Offence.

Second Offence.

have

have been guilty of such Offence, and be utterly disabled to have or hold such Employment thereafter.

CXXIV. And whereas great Inconvenience has arisen to His Majesty's Service from Persons, not authorized Agents of Regiments, Troops or Companies, negotiating for the Purchase and Sale of Commissions, and much larger Sums than are allowed by His Majesty's Regulations are often given and received for Commissions, and great Frauds committed; Be it therefore enacted, That every Person not an authorized Agent of any Regiment, Troop or Company, who shall negotiate or act as Agent for or in relation to the Purchase or Sale of any Commission in His Majesty's Forces, and also every authorized Agent as aforesaid, who shall take, accept or receive any Commission or Sum of Money, or Reward, for negotiating the Purchase or Sale of any such Commission, or acting as an Agent in relation thereto, shall forfeit for every such Offence the Sum of One hundred Pounds, and Treble the Sum which shall be given or received for or in relation to any such Commission, over and above the Sum allowed by His Majesty's Regulations.

Persons acting as Army Agents without Authority.

Penalty.

CXXV. Provided always, and be it enacted by the Authority aforesaid, That every present and future Paymaster, Agent or Clerk, of any Garrison, Regiment, Troop or Company, who is or shall be liable to account with any of the Executors and Administrators of every Officer or Soldier, for any of the Pay of such Officer or Soldier by him or them received, shall, on reasonable Demand made by such Executor or Administrator, deliver a just and true Account to any such Executor or Administrator of such Sum or Sums of Money as he or they shall have so respectively received for such Officer or Soldier, and for which they ought so to account as aforesaid, such Executor or Administrator paying for the same, and shall account with such Executor or Administrator for the same; and that every such Paymaster, Agent or Clerk, of any Garrison, Regiment, Troop or Company, offending herein, shall forfeit the like Penalties, and to be recovered in like manner, as appointed by this Act, for such Colonels or Agents not giving due Accounts of or for the Pay of the said Officers or Soldiers, to and for such Officers and Soldiers themselves.

Paymasters, &c. to account with Executors.

Penalty.

CXXVI. And whereas it may otherwise be doubted, whether the Officers and Persons serving in the Royal Artillery, and those hired to be employed in the Trains of Artillery, or the Officers serving in the Corps of Royal Engineers, or the Officers and Persons serving in the Corps of Royal Military Surveyors and Draftsmen, or the Corps of Royal Military Artificers and Labourers, or the Master Gunners, and Gunners under the Ordnance, be within the Intent and Meaning of this Act; it is hereby enacted by the Authority aforesaid, That the Officers and Persons serving and hired to be employed, or who shall serve and be hired to be employed in the Royal Artillery, and in the several Trains of Artillery, and all Officers serving or who shall serve in the Corps of Royal Engineers, and all Officers and Persons serving or who shall serve in the Corps of Royal Military Surveyors and Draftsmen, or in the Corps of Royal Military Artificers and Labourers, and all Master Gunners, and Gunners who now are or shall be under the Ordnance, shall be at all times subject to all the Penalties and Punishments mentioned in this Act, and shall in all respects whatsoever be holden to be within

Officers, &c. of Trains of Artillery, &c. subject to Act.

the Intent and Meaning of every Part of this Act, during the Continuance of the same, and shall be quartered and billeted, together with the Horses employed for the Service of the said Corps, in the same manner and under the same Penalties and Regulations as are directed by this Act to be observed in quartering and billeting the Officers, Soldiers and Horses of His Majesty's other Forces; and all Innkeepers and others on whom the Officers and Persons serving in the said Corps, and the Horses employed therein, shall be legally quartered, refusing to receive and provide for them as is directed for the Officers, Soldiers and Horses of His Majesty's other Forces, shall be subject to the same Penalties as in the case of His Majesty's other Forces.

Innkeepers refusing to receive Soldiers.

Troops raised or serving in His Majesty's Provinces, &c acting in Conjunction with His Majesty's other Forces, liable to Martial Laws, &c.

Employed on Recruiting Service, and receiving irregular Pay, subject to Act.

Negroes purchased and serving in Forces deemed free.

Provido respecting Negroes purchased by or on account of His Majesty.

‘ CXXXVII. And whereas great Mischief and Inconvenience may arise if it should be doubted whether Troops in Pay, raised or serving in any of His Majesty's Provinces, Governments, Colonies or Dominions, or in Countries, Colonies or Places in Possession of or occupied by His Majesty's Subjects, or any Forces of His Majesty, are, while under the Command of any Officer having any Commission immediately from His Majesty, liable to the same Rules and Articles of War, and the same Penalties and Punishments, as His Majesty's other Forces are subject to:’ To prevent such Mischief, and to remove all Doubts, be it declared and enacted by the Authority aforesaid, That all Officers and Soldiers of any Troops being mustered and in Pay, which have been or are or shall be raised or serving as aforesaid, shall at all Times and in all Places be liable to Martial Law and Discipline, in like Manner, to all Intents and Purposes as His Majesty's other Forces are, and shall be subject to the same Trial, Penalties and Punishments.

CXXXVIII. And be it further enacted, That this Act shall extend to all Serjeants and Non Commissioned Officers or Persons employed on the Recruiting Service, receiving any regular Pay in respect of such Service; and all such Serjeants and Non Commissioned Officers and Persons employed on the Recruiting Service, receiving any regular Pay in respect of such Service, shall be liable to Martial Law and Discipline, in like manner to all Intents and Purposes as His Majesty's other Forces, and be subject to the same Trial, Penalties and Punishments.

CXXXIX. And be it further enacted, That, from and after the passing of this Act, all Negroes purchased by or on account of His Majesty, his Heirs and Successors, and serving in any of His Majesty's Forces, shall be and be deemed and taken to be free, to all Intents and for all Purposes whatever, in like manner in every respect as if such Negroes had been born free in any Part of His Majesty's Dominions; and that such Negroes shall also, to all Intents and Purposes whatever, be considered as Soldiers having voluntarily enlisted in His Majesty's Service.

CXXX. Provided always, and be it further enacted, That nothing in this Act contained as to enlisting for any limited Periods of Service, or contained in any other Act as to any Rules or Regulations for the granting any Pensions or Allowances to any Soldiers discharged, after certain Periods of Service, shall extend, or be deemed or construed in any manner to extend to any Negroes purchased by or on account of His Majesty, his Heirs and Successors, and serving in any of His Majesty's Forces.

CXXXI. And whereas the Officers and Soldiers of the said Troops, being taken Prisoners, are frequently sent over to Great Britain or Ireland in a very distressed Condition: And whereas their Pay is not sufficient to provide them with necessary Lodgings and Accommodations; Be it enacted by the Authority aforesaid, That, during the Continuance of this Act, it shall be lawful for the Constables, and other Civil Magistrates, within England, Ireland, Wales and the Town of Berwick upon Tweed, to quarter and billet the Officers and Soldiers of such Troops in all such Houses as are liable by this Act to receive the Officers and Soldiers of His Majesty's other Forces; and the said Constables and other Civil Magistrates are hereby required to quarter and billet the Officers and Soldiers of such Troops in the same manner and under the same Regulations and Penalties, as are directed by this Act to be observed in quartering and billeting the Officers and Soldiers of His Majesty's other Forces; and all Persons on whom the Officers and Soldiers of the said Troops shall be legally quartered, refusing to receive and provide for them, as is directed for the Officers and Soldiers of His Majesty's other Forces, shall be subject to the same Penalties as in the case of His Majesty's other Forces.

Officers and Soldiers of such Troops sent over to G. B. or Ireland.  
How quartered and billeted.

CXXXII. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be any ways construed to extend, to concern any of the Militia Forces, or Yeomanry or Volunteer Corps in Great Britain or Ireland, or in Jersey, Guernsey, Alderney, Sark or Man, or the Islands thereto belonging, excepting only in such case wherein, by any Act or Acts, for regulating any of the Militia Forces, or Yeomanry or Volunteer Corps in Great Britain or Ireland, the Provisions contained in this Act, or in any Act for punishing Mutiny and Desertion, which shall be then in force, are extended and meant to take place in respect to the Officers and Soldiers of the Militia Forces or Yeomanry or Volunteer Corps in Great Britain and Ireland; and also except so far as relates to the Mustering of the said Militia Forces, according to the Provisions hereinafter mentioned.

Militia, Volunteers, &c.  
Provido for, &c.

CXXXIII. And, for the better ascertaining the Number of effective Men of the Regiments of Militia, when embodied and in actual Service, be it enacted by the Authority aforesaid, That, from and after the passing of this Act, every Regiment or Corps of Militia and Fencible Men, when embodied and in actual Service, shall be regularly mustered by Commissaries appointed for that Purpose, in the same manner and as often as the rest of the Army is usually mustered; and the Magistrates shall have the same Powers and Authorities, and both Officers and Men shall be subject to the same Regulations, Restrictions and Penalties, as are imposed on the Officers and Soldiers of the rest of the Army by virtue of this Act.

Militia and Fencible Men when in actual Service regularly mustered, &c.

CXXXIV. And be it further enacted by the Authority aforesaid, That this Act shall be construed to extend to the Islands of Jersey, Guernsey, Alderney, Sark and Man, and the Islands thereto belonging, as to the Clauses therein for mustering and paying, and to the Provisions for the Trial and Punishment of Officers and Soldiers who shall be charged with Mutiny or Desertion, or any other of the Offences which are by this Act declared to be punishable by the Sentence of a General, or Garrison, or Detachment, or Regimental Court Martial; and also to the Clauses which relate to the Punishment

In what cases Act to extend to Guernsey, &c.

ment of Persons who shall conceal Deserters, or shall knowingly buy, exchange or otherwise receive, any Arms, Clothes, Caps or other Furniture belonging to The King, or any such Articles generally deemed Regimental Necessaries, from any Soldier or Deserter, or who shall cause the Colour of such Clothes to be changed.

Perjury.

CXXXV. And be it further enacted, That any Person taking a false Oath in any case wherein an Oath is required to be taken by this Act, shall be deemed guilty of wilful and corrupt Perjury, and being thereof duly convicted, shall be liable to such Pains and Penalties as by any Laws now in force any Persons convicted of wilful and corrupt Perjury are subject and liable to.

General Issue.

CXXXVI. And be it further enacted by the Authority aforesaid (except in *Scotland*, as hereinafter provided), That if any Action, Bill, Plaint or Suit shall be brought against any Person or Persons for any Act, Matter or Thing, to be acted or done in pursuance of this Act, it shall and may be lawful to and for all and every Person and Persons sued as aforesaid, to plead thereunto the General Issue, that he or they are Not Guilty, and to give such Special Matter in Evidence to the Jury which shall try the Issue; which Special Matter being pleaded, had been a good and sufficient Matter in Law to have discharged the said Defendant or Defendants of the Trespas or other Matter laid to his or their Charge: And if the Verdict shall pass with the said Defendant or Defendants in any such Action, or the Plaintiff or Plaintiffs therein become nonsuit, or suffer any Discontinuance thereof, that in every such case, the Justice or Justices, or such other Judge before whom the said Matter shall be tried, shall, by force and virtue of this Act, allow unto the Defendants or Defendants his or their Treble Costs, which he or they shall have sustained by reason of their wrongful Vexation in Defence of the said Action or Suit, for which the said Defendant or Defendants shall have the like Remedy as in other cases, where Costs by the Laws of this Realm are given to Defendants.

Treble Costs.

Where Suits to be brought.

CXXXVII. And be it further enacted by the Authority aforesaid, That every Bill, Plaint, Action or Suit, against any Person or Persons, for any Act, Matter or Thing, to be acted or done in pursuance of this Act, or against any Member or Minister of a Court Martial, in respect of any Sentence of such Court, or of any thing done by virtue or in pursuance of such Sentence, shall be brought in some of the Courts of Record at *Westminster*, or in *Dublin*, or the Court of Session in *Scotland*, and in no other Court whatsoever.

In Scotland Actions preferred in Court of Session.

CXXXVIII. And be it further enacted, That if any Action shall be raised or Complaint shall be preferred against any Person or Persons in *Scotland*, for any Act, Matter or Thing, to be acted or done in pursuance of this Act, such Action shall be raised and Complaint preferred in the Court of Session, and if such Court shall see fit to assize the Defendant, or dismiss the Complaint, the Defender or Defenders shall have Treble Costs awarded to him or them by the said Court.

Treble Costs

Persuading Soldiers to desert.

CXXXIX. And be it further enacted, That if any Person or Persons shall in any Part of His Majesty's Dominions, directly or indirectly, persuade or procure any Soldier or Soldiers in the Service of His Majesty, his Heirs or Successors, to desert or leave such Service as aforesaid, every such Person or Persons so offending as aforesaid, and being thereof lawfully convicted, shall, for every such Offence,



forfeit to His Majesty, his Heirs or Successors, or to any other Person or Persons who shall sue for the same, the Sum of One hundred Pounds; and if it shall happen that any such Offender, so convicted as aforesaid, hath not any Goods and Chattels, Lands or Tenements, or to the Value of One hundred Pounds, to pay and satisfy the same, or if from the Circumstances and Heinousness of the Crime it shall appear to the Court before which the said Conviction shall be made as aforesaid, that any such Forfeiture is not a sufficient Punishment for such Offence, it shall be lawful for such Court to commit any such Offender to Prison, there to remain for any time not exceeding Twelve Months, without Bail or Mainprize, and also to stand in the Pillory for the Space of One Hour in some Market Town next adjoining to the Place where the Offence was committed in open Market there, or in the Market Town itself where the said Offence was committed.

Penalty.

Imprisonment.

Pillory.

CXL. And be it further enacted, That all Penalties by this Act imposed, for persuading or procuring any Soldier to desert within that Part of *Great Britain* called *England*, may and shall be sued for and be recoverable in any of His Majesty's Courts of Record at *Westminster*; and for such like Offences as shall be committed in that Part of *Great Britain* called *Scotland*, shall be sued for and recoverable in His Majesty's Courts of Exchequer in *Scotland*; and for such like Offences as shall be committed in *Ireland*, shall be sued for and recoverable in any of His Majesty's Courts of Record in *Dublin*; and for any such like Offences as shall be committed in any other of the Dominions of His Majesty, shall and may be sued for and be recoverable in any Court of Record of His Majesty, in the Place where the Offence shall have been committed; and for such like Offence as shall have been committed within the Island of *Guernsey*, the same shall be sued for and be recoverable in the Royal Court of *Guernsey*; and for such Offences as shall be committed within the Island of *Jersey*, the same shall be sued for and be recoverable in the Royal Court of *Jersey*; any thing contained in an Act passed in the First Year of King *George* the First to the contrary thereof in any wise notwithstanding.

Penalties against Persons inducing Soldiers to desert, how sued for.

1 G. 1. Stat. 2. c. 47.

CXLI. And be it further enacted, That, for such of the said Offences as shall be committed within that Part of the United Kingdom called *Ireland*, the Penalties herein enacted shall be sued for and be recoverable in any of His Majesty's Courts of Record in *Dublin*; and for such of the said Offences as shall be committed within the Isles of *Alderney* and *Sark*, the Penalties herein enacted shall be sued for and be recoverable in the Royal Court of *Guernsey*; and for such of the said Offences as shall be committed within the Isle of *Man*, the Penalties herein enacted shall be sued for and be recoverable in any of the Courts of Record in the said Island, or in any of His Majesty's Courts of Record at *Westminster*.

Penalties in Ireland, where sued for.

CXLII. Provided always, and be it further enacted by the Authority aforesaid, That no such Action shall be brought or Prosecution carried on by virtue of this Act, for the Penalties aforesaid, unless the same be commenced within Six Months after the Offence is committed.

Limitation of Actions.

CXLIII. And, in order to prevent all Doubts that may arise in relation to punishing Crimes and Offences committed against former Acts of Parliament made in *Great Britain* and *Ireland* respectively, for

Offences against former Mutiny Acts, punishable by Act.

for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters, or against any of the Articles of War made and established by virtue of the same, be it enacted by the Authority aforesaid, That all Crimes and Offences which have been committed against any Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters, or against any of the Articles of War made and established by virtue of the same, shall and may, during the Continuance of this Act, be enquired of, heard, tried and determined, adjudged and punished, before and by the like Courts, Persons, Powers, Authorities, Ways, Means and Methods, as the like Crimes and Offences committed against this Act may be enquired of, heard, tried, and determined, adjudged and punished: And every Warrant for holding any Court Martial under any former Act shall remain in full Force, notwithstanding the Expiration of such Act, and all Proceedings of any Court Martial, upon any Trial begun under the Authority of such former Act, shall not be discontinued by the Expiration of the same, but it shall be lawful to proceed to Judgment upon any such Trial, and to carry such Judgment into Execution in like manner as if the Proceedings had been commenced under the Authority of this Act.

Offences against former Acts committed Three Years before issuing Warrant for Trial, &c.

CXLIV. Provided always, That no Person shall be liable to be tried and punished for any Offence against any of the said Acts, or Articles of War, which shall appear to have been committed more than Three Years before the issuing of the Commission or Warrant for such Trial; unless the Person accused, by reason of his having absented himself, or of some other manifest Impediment, shall not have been amenable to Justice within that Period; in which case such Person shall be liable to be tried at any time not exceeding Two Years after the Impediment shall have ceased.

CXLV. And, for the more easy Conviction of Offenders against this Act, be it enacted, That in case any Persons shall be convicted of any Offences by which they shall become liable to any of the pecuniary Penalties under this Act, the following shall be the Form of Conviction:

Form of Conviction.

County of } ‘ **BE** it remembered, That on the Day  
of of in the Year of our Lord  
‘ at in the County aforesaid, *A. B.* came before  
‘ me [or us] One [or Two] of His Majesty’s Justices of the Peace  
‘ in and for the said County, and informed me [or us] upon Oath,  
‘ that *G. H.* of on the Day of  
‘ now last past, at in the said County, did  
‘ (*here set forth the Fact in the manner described in the Statute*);  
‘ whereupon the said *G. H.* after being duly summoned to answer  
‘ the said Charge, appeared before me [or us] the said Justice [or  
‘ Justices] on the Day of at  
‘ in the said County, and having heard the Charge  
‘ contained in the said Information, declared that he was not guilty  
‘ of the said Offence; but the same being fully proved upon the  
‘ Oath of *J. K.* a credible Witness, it manifestly appears to me [or  
‘ us] the said Justice [or Justices], that he the said *G. H.* is guilty  
‘ of the said Offence charged upon him in the said Information.  
‘ It is therefore considered and adjudged by me [or us] the said  
‘ Justice [or Justices], that he the said *G. H.* be convicted; and  
‘ I [or we] do hereby convict him of the Offence aforesaid; and I  
‘ [or

' [or we] do hereby declare and adjudge that the said G. H. hath  
' forfeited the Sum of \_\_\_\_\_ for the Offence  
' aforesaid, to be distributed as the Law directs, according to the  
' Statute in that case made and provided.  
' Given, et cetera.'

CXLVI. And be it further enacted by the Authority aforesaid, Continuance of  
Act.  
That this Act shall be and continue in force, within *Great Britain*,  
from the Twenty fourth Day of *March* in the Year of our Lord One  
thousand eight hundred and thirteen, until the Twenty fifth Day of  
*March* in the Year of our Lord One thousand eight hundred and  
fourteen; and shall be and continue in force within *Ireland*, and in  
*Jersey*, *Guernsey*, *Alderney*, *Sark* and *Isle of Man*, and the Islands  
thereto belonging, from the Thirty first Day of *March* in the Year  
of our Lord One thousand eight hundred and thirteen, until the First  
Day of *April* in the Year of our Lord One thousand eight hundred  
and fourteen; and shall be and continue in force within the Garrison  
of *Gibraltar*, and in *Spain* and *Portugal*, from the Twenty fourth  
Day of *May* in the Year of our Lord One thousand eight hundred  
and thirteen, until the Twenty fifth Day of *May* in the Year of our  
Lord One thousand eight hundred and fourteen; and shall be and  
continue in force in all other Parts of *Europe* where His Majesty's  
Forces may be serving, and in the *West Indies*, and *North America*,  
and *Cape of Good Hope*, from the Twenty fourth Day of *July* One  
thousand eight hundred and thirteen, to the Twenty fifth Day of  
*July* One thousand eight hundred and fourteen; and shall be and con-  
tinue in force in all other Places from the Twenty fourth Day of  
*November* One thousand eight hundred and thirteen, to the Twenty  
fifth Day of *November* One thousand eight hundred and fourteen.

CXLVII. Provided always, and be it enacted, That this Act Act altered, &c.  
be altered and varied by any Act or Acts to be made in this Session  
of Parliament.

[*Rates of Subsistence increased, cc. 43. 83. post.*]

## SCHEDULE (A.)

### *Form of Oath.*

**I** do make Oath, That I am  
or have been (*as the case may be*) [*state Occupation, if any, or state  
if of none*] and to the best of my Knowledge and Belief was born in  
[*state County, Parish, Place, &c.*] and that I am of the Age of

Years; that I do not belong to the Militia, or to any other  
Regiment, or to His Majesty's Navy or Marines; and that I will  
serve His Majesty, his Heirs and Successors, for the Period of

[*This Blank to be filled up by the Magistrate with  
Seven Years for Infantry, Ten Years for Cavalry, and Twelve Years  
for the Artillery, if the Person enlisting is of the Age of Eighteen Years  
or upwards; but if under Eighteen Years, then the Difference between  
his Age and Eighteen to be added to such Seven, Ten, or Twelve Years,  
as the case may be*] Years, provided His Majesty should for so long  
require my Service, and also for such further Term, not exceeding  
Six Months, as shall be directed by the Commanding Officer on any  
Foreign Station, and not exceeding Three Years, as shall be directed  
by any Proclamation of His Majesty: Provided always, that in the  
latter case the said additional Period shall determine whenever Six  
Months

Months of continued Peace, to be reckoned from the Ratification of any Definitive Treaty, shall have elapsed subsequent to the Expiration of the said [Seven, Ten, or Twelve, as the case may be] Years.

### SCHEDULE (B.)

#### *Form of Oath.*

I do make Oath, That I am or have been (as the case may be) [state Occupation, if any, or state if of none] and to the best of my Knowledge and Belief was born in [state County, Parish, Place, &c.] and that I am of the Age of \_\_\_\_\_ Years; that I do not belong to the Militia, or any other Regiment, or to His Majesty's Navy or Marines; and that I will serve His Majesty, his Heirs and Successors, until I shall be legally discharged.

### SCHEDULE (C.)

#### *Form of Justice's Certificate.*

I *A. B.* One of His Majesty's Justices of the Peace of (or Chief Magistrate of \_\_\_\_\_) do hereby certify that *C. D.* appearing to be \_\_\_\_\_ Years old, \_\_\_\_\_ Feet \_\_\_\_\_ Inches high, \_\_\_\_\_ Complexion, \_\_\_\_\_ Eyes, \_\_\_\_\_ Hair, came before me at \_\_\_\_\_ on the \_\_\_\_\_ Day of \_\_\_\_\_ One thousand eight hundred and \_\_\_\_\_, and stated himself to be of the Age of \_\_\_\_\_ Years, and that he had no Rupture, and was not troubled with Fits, and was no ways disabled by Lameness, Deafness or otherwise, but had the perfect Use of his Limbs and Hearing, and was not an Apprentice; and acknowledged that he had voluntarily enlisted himself for the Bounty of \_\_\_\_\_ to serve His Majesty King George the Third, his Heirs and Successors, in the Regiment of \_\_\_\_\_ commanded by \_\_\_\_\_ and did engage to serve for the Period of \_\_\_\_\_ [This Blank to be filled up by the Magistrate with Seven Years for Infantry, Ten Years for Cavalry, and Twelve Years for the Artillery, if the Person enlisting is of the Age of Eighteen Years or upwards; but if under Eighteen Years, then the Difference between his Age and Eighteen to be added to such Seven, Ten, or Twelve Years, as the case may be] Years, provided His Majesty should for so long require his Service; and also for such further Period as His Majesty shall please to direct, not to exceed in any case Three Years, and to determine whenever Six Months shall have elapsed of continued Peace subsequent to the Expiration of the Term of [Seven, or Ten, or Twelve,] Years. And I do hereby certify, That in my Presence the Third and Fourth Articles of the Second Section, and the First Article of the Sixth Section of the Articles of War against Mutiny and Desertion were read over to him, and that he took the Oath of Fidelity mentioned in the said Articles of War, and also the Oath above set forth, and that he received the Sum of \_\_\_\_\_ on being attested, and that I have given to the said *C. D.* a Duplicate of this Certificate, signed with my Name.

### SCHEDULE (D.)

#### *Form of Justice's Certificate.*

I *A. B.* One of His Majesty's Justices of the Peace of (or Chief Magistrate of \_\_\_\_\_) do

), do hereby certify, That *C. D.* appearing  
 to be                      Years old,                      Feet                      Inches high,  
                     Complexion,                      Eyes,                      Hair, came before  
 me at                      , on the                      Day of

One thousand eight hundred and                      , and stated  
 himself to be of the Age of                      Years, and that he had no  
 Rupture, and was not troubled with Fits, and was no ways disabled  
 by Lameness, Deafness or otherwise, but had the perfect Use of his  
 Limbs and Hearing, and was not an Apprentice; and acknowledged  
 that he had voluntarily inflicted himself for the Bounty of

to serve His Majesty King *George* the Third, his Heirs and  
 Successors, in the                      Regiment of                      commanded by  
                     , until he should be legally discharged: And I do  
 hereby certify, That in my Presence the Third and Fourth Articles  
 of the Second Section, and the First Article of the Sixth Section  
 of the Articles of War against Mutiny and Desertion were read  
 over to him, and that he took the Oath of Fidelity mentioned in  
 the said Articles of War, and also the Oath to the Effect above set  
 forth, and that he received the Sum of                      on being  
 attested, and that I have given to the said *C. D.* a Duplicate of  
 this Certificate, signed with my Name.

#### SCHEDULE (E.)

*Oath of Allegiance, 39 Geo. III. c. 109.*

**I** *A. B.* being inflicted to serve, either in His Majesty's Troops, or in  
 the Forces of the *East India* Company, according as His Majesty  
 shall think fit, do swear, That I will bear true Allegiance to our  
 Sovereign Lord King *George*, and that I will, as in my Duty bound,  
 defend Him in His Person, Crown and Dignity against all His  
 Enemies; and that so long as I shall remain in His Majesty's Ser-  
 vice, I will duly observe and obey His Majesty's Orders and the  
 Orders of the Generals and Officers set over me by His Majesty;  
 and that if His Majesty shall please to appoint me to serve in the  
 Forces of the United Company of Merchants of *England* trading to  
 the *East Indies*, then I swear that I will also be true to the said  
 United Company, and will duly observe and obey all their Orders  
 and the Orders of their Generals and Officers who shall be lawfully  
 set over me.

#### SCHEDULE (F.)

To wit } **I** of                      One of His Majesty's Justices of the Peace  
                     }                      Years,                      Feet                      certify, That                      aged  
                     }                      Complexion,                      Eyes,                      Inches high,  
                     }                      on the                      Day of                      Hair, came before me at  
                     }                      hundred and                      , and acknowledged that he had voluntarily  
                     }                      inflicted himself for the Bounty of                      to serve either in  
                     }                      His Majesty's Army or in the Forces of the *East India* Company,  
                     }                      according as His Majesty shall think fit to order. And I further  
                     }                      certify, That in my Presence the Third and Fourth Articles  
                     }                      of the Articles of War, against Mutiny and Desertion, were read  
                     }                      over to him; that he took the Oath of Allegiance prescribed  
                     }                      by

by the Act of 39° Geo. III. c. 109. to be taken instead of the Oath of Fidelity mentioned in the said Articles of War, and also the Oath above set forth; and that he received the Sum of : on being attested.

### SCHEDULE (G.)

I *A. B.* being inlisted to serve in the [Infantry or Artillery, as the case may be,] of the *East India Company*, do swear, That I will bear true Allegiance to our Sovereign Lord King *George*, and that I will, as in Duty bound, defend Him in His Person, Crown and Dignity, against all his Enemies; and I swear that I will also be true to the said United Company, and will duly observe and obey all their Orders and the Orders of their Generals and Officers who shall be lawfully set over me.

### SCHEDULE (H.)

I *A. B.* do make Oath, That I am (or have been, as the case may be) [state Occupation, if any, or state if of none], and to the best of my Knowledge and Belief was born in [state County, Parish or Place, &c.] and that I am of the Age of Years, and that I do not belong to the Militia, or to any Regiment in His Majesty's Service, or to His Majesty's Navy or Marines; and that I will serve the United Company of Merchants of *England* trading to the *East Indies*, until I shall be duly and legally discharged, [or if the Recruit inlists for limited Service, then leave out the Words scored under, and insert] for the Period of Twelve Years [if the Person inlisting is of the Age of Eighteen Years or upwards, but if under Eighteen Years, then the Difference between his Age and Eighteen to be added to such Twelve Years, as the case may be, and such Period to be inserted instead of Twelve Years] provided the said United Company should so long require my Service.

### SCHEDULE (I.)

I One of His Majesty's Justices of the Peace of [or, Chief Magistrate of ] do hereby certify, That appeared to be Years old, Feet Inches high, Complexion, Eyes, Hair, came before me at on the Day of and stated himself to be of the Age of Years, and that he had no Rupture, and was not troubled with Fits, and was no ways disabled by Lameness, Deafness or otherwise, but had the perfect Use of his Limbs and Hearing, and was not an Apprentice, and acknowledged that he had voluntarily inlisted himself for the Bounty of to serve the United Company of Merchants of *England* trading to the *East Indies*, and did engage to serve for the Period of [this Blank to be filled up by the Magistrate either until discharged or for Years, as in the preceding Form of Inlisting]: And I do hereby certify, That in my Presence the Third and Fourth Articles of the Second Section, and the First Article of the Sixth Section of the Articles of War, against Mutiny and Desertion, were read over to him, and he took the Oath of Fidelity mentioned in the Act of the Fiftieth Year of His present Majesty, and also the Oath above set forth, and that he received

received the Sum of \_\_\_\_\_ on being attested; and that  
 I have given to the said \_\_\_\_\_ a Duplicate of this Cer-  
 tificate, signed with my Name:

## SCHEDULE (K.)

*Form of Master's Oath.*

I \_\_\_\_\_ of \_\_\_\_\_ do make Oath, That I am by  
 Trade a \_\_\_\_\_ and that \_\_\_\_\_ was bound to serve as an  
 Apprentice to me in the said Trade, by Indenture dated the  
 Day of \_\_\_\_\_ for the Term of \_\_\_\_\_ Years; and that the  
 said \_\_\_\_\_ did on or about the \_\_\_\_\_ Day of \_\_\_\_\_,  
 abscond and quit my Service without my Consent; and that to the  
 best of my Knowledge and Belief the said \_\_\_\_\_ is  
 aged about \_\_\_\_\_ Years. Witness my Hand at \_\_\_\_\_ the  
 Day of \_\_\_\_\_ One thousand eight hundred and \_\_\_\_\_  
 Sworn before me at this \_\_\_\_\_ }  
 Day of \_\_\_\_\_ One thousand eight \_\_\_\_\_ }  
 hundred and \_\_\_\_\_

## SCHEDULE (L.)

*Form of Justice's Certificate.*

To wit } I A. B. One of His Majesty's Justices of the Peace of  
 before me at \_\_\_\_\_ certify, That \_\_\_\_\_ of \_\_\_\_\_ came  
 eight hundred and \_\_\_\_\_ the \_\_\_\_\_ Day of \_\_\_\_\_ One thousand  
 \_\_\_\_\_, and that \_\_\_\_\_ was bound to serve as an Apprentice  
 to him in the said Trade by Indenture, dated the \_\_\_\_\_ Day  
 of \_\_\_\_\_, for the Term of \_\_\_\_\_ Years; and that the said  
 Apprentice did, on or about the \_\_\_\_\_ Day of \_\_\_\_\_ abscond  
 and quit the Service of the said \_\_\_\_\_ without his Consent;  
 and that to the best of his Knowledge and Belief the said Ap-  
 prentice is aged about \_\_\_\_\_ Years.

A. B.

## SCHEDULE (M.)

*Form of Oath.*

I \_\_\_\_\_ do hereby make Oath, That I have not  
 applied any Money or Stores, or Supplies, under my Care or  
 Distribution, to my own Use, or to the private Use of any other  
 Person, by way of Loan to such Person, or otherwise, or in any  
 manner applied them, or knowingly permitted them to be applied  
 to any other than public Purposes, and according to the Duty of  
 my Office.

Sworn before me by the within named }  
 this \_\_\_\_\_ Day of \_\_\_\_\_ }

A. B.

[Justice of the Peace for the County of \_\_\_\_\_  
 or Commander in Chief, or Second  
 in Command, &c. the Army serving in  
 &c. as the case may be.]

**SCHEDULE (N.)**

DESCRIPTION RETURN of \_\_\_\_\_ committed to Confinement at \_\_\_\_\_ on the \_\_\_\_\_ Day  
 as a Defeter from the \_\_\_\_\_ Battalion of the \_\_\_\_\_ Regiment of \_\_\_\_\_

Age.	Size.		Complexion.	Colour of		Marks.	Probable Date of Infilment, and in what District.	Probable Date of Defertion, and from whence.	Name, Occupation and Address of Person by whom apprehended.	The Particulars in Evidence against the Prisoner, and whether he confessed himself to be a Defeter in the Presence of the Magistrate who committed him.
	Feet.	Inches.		Hair.	Eyes.					

I do hereby certify, that the Prisoner has been duly examined before me, as to the Circumstances herein stated, and has declared in my Presence that he is a Defeter from the before mentioned Corps.

\_\_\_\_\_  
 Signature of Magistrate.  
 \_\_\_\_\_  
 Signature of Prisoner.  
 \_\_\_\_\_  
 Signature of Informant.

\* Enquiry having been made as to the Prisoner's Health, it has been reported to me that he is in a fit State to be removed.  
 \* If a Military Medical Officer be at the Place, he will inspect the Defeter.

**SCHEDULE (O.)**

TO the [Churchwarden or Overseer] of the [Parish, Township or Place.]

**YOU** are hereby required to pay to *A. B.* [describe whether Non Commissioned Officer, &c.] within named, on Furlough from the \_\_\_\_\_ Day of \_\_\_\_\_ to the \_\_\_\_\_ Day of \_\_\_\_\_ signed by [Commanding Officer signing the Furlough], the Sum of \_\_\_\_\_ out of any Money now in your Hands, or out of the first Money which shall come to your Hands, in respect of the Rates \_\_\_\_\_



Rates for the Relief of the Poor, being at the Rate of  
 per Day from the Day of to the  
 Day of both inclusive; and for so doing, this shall be  
 your Warrant, and pass as such for your Repayment under the  
 Mutiny Act. Witness my Hand the Day  
 C. D. Justice of the Peace for

## C A P. XVIII.

An Act for allowing a Drawback of the Duty on Coals used  
 in Fire or Steam Engines for raising Ores in the Counties  
 of *Devon* and *Cornwall*. [23d March 1813.]

WHEREAS by the Acts in force a Drawback of all the  
 Duties is by Law payable on Coals which have been used  
 in Fire Engines for draining Water out of the Mines of Tin,  
 Copper or Lead, in the Counties of *Cornwall* and *Devon*; and it  
 is expedient that the like Drawback should be allowed on all Coals  
 used in Fire or Steam Engines employed in drawing or raising Ores  
 or dead Stuff or Rubbish out of the said Mines; Be it therefore  
 enacted by the King's Most Excellent Majesty, by and with the Ad-  
 vice and Consent of the Lords Spiritual and Temporal, and Commons,  
 in this present Parliament assembled, and by the Authority of the  
 same, That the same Drawbacks, which are payable upon Coals  
 consumed in the working of Fire Engines used for draining Water  
 out of the said Mines, shall, from and after the passing of this Act,  
 be paid upon Coals which have been consumed in Fire or Steam  
 Engines used for the Purpose of drawing or raising Ores or dead  
 Stuff or Rubbish out of the said Mines since the Fifth Day of  
*January* One thousand eight hundred and eleven, or which may at  
 any time hereafter be so used, upon Proof by Oath made before the  
 Collector of the said Duties (which Oath he is hereby empowered and  
 required to administer) that such Coals have been so used and applied,  
 and the Amount of the Duties shall be returned and paid by the  
 Collector of the said Duties to the Person so making Proof as afore-  
 said.

14 G. 2. c. 41.  
 § 3.  
 49 G. 3. c. 98.  
 Sch. A. Coast-  
 wife.

Drawback of  
 Duty on Coals  
 used in Fire or  
 Steam Engines  
 for raising Ores,  
 &c.

II. And be it further enacted, That this Act may be altered, amended or repealed, by any Act or Acts to be passed in this present Session of Parliament. Act repealed, &c.

## C A P. XIX.

An Act to amend an Act of the last Session of Parliament to  
 prevent the issuing and circulating of Pieces of Gold and  
 Silver or other Metal usually called *Tokens*, except such as  
 are issued by the Banks of *England* and *Ireland* respectively.

[23d March 1813.]

WHEREAS an Act passed in the last Session of Parliament,  
 intituled *An Act to prevent the issuing and circulating of*  
*Pieces of Gold and Silver or other Metal usually called Tokens, except*  
*such as are issued by the Banks of England and Ireland respectively:*  
 And whereas it is expedient, that the Period limited in the said  
 Act for the Circulation of Pieces of Gold or Silver and mixed  
 Metals in the said Act specified, and denominated *Tokens* should be  
 extended; May it therefore please Your Majesty that it may be  
 enacted;

52 G. 3. c. 157.

§ 2.

repealed.

Tokens not to  
circulate after  
July 5, 1813.

Penalty.

Original Issuer.

Proviso for  
Tokens of Bank  
of England or  
Ireland.Penalties how  
recovered.Act repealed,  
&c.

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 so much of the said recited Act as prohibits the Circulation of any such Tokens as are in the said recited Act described, after the Twenty fifth Day of *March* One thousand eight hundred and thirteen, shall be and the same is hereby repealed: Provided always, that nothing in this Act contained shall extend to repeal or suspend any Penalty or Forfeiture by the said Act imposed for the making, manufacturing or originally issuing, or causing or procuring to be made, manufactured or originally issued, or permitting or suffering to be issued any such Tokens.

II. And be it further enacted, That, from and after the Fifth Day of *July* One thousand eight hundred and thirteen, no Piece of Gold or Silver, or of any mixed Metal, composed partly of Gold or Silver, of whatever Value the same may be, shall pass or circulate as a Token for Money, or as purporting that the Bearer or Holder thereof is entitled to demand any Value denoted thereon, either by Letters, Words, Figures, Mark or otherwise, whether such Value is to be paid or given in Money or Goods, or other Value, or in any manner whatsoever; and every Person who shall after the said Fifth Day of *July* One thousand eight hundred and thirteen, circulate or pass, as for any nominal Value in Money or Goods any such Token, shall, for every such Token so circulated or passed, whether such Person shall be or have been concerned in the original issuing or Circulation of any such Token, or only the Bearer or Holder thereof for the time being, forfeit any Sum not less than Five Pounds, nor more than Twenty Pounds, at the Discretion of the Justice or Justices of the Peace who shall hear and determine such Offence; provided that nothing in this Act contained shall extend or be construed to extend to prevent any Person from presenting any such Token for Payment to the original Issuer thereof, or to discharge or excuse any such original Issuer from his Liability to pay the same.

III. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to any Tokens issued or circulated by or under the Authority of the Governor and Company of the Bank of *England*, or by or under the Authority of the Governor and Company of the Bank of *Ireland* respectively, or in any manner to affect any such Tokens or the Circulation thereof, or to subject any Company or Companies, or Person or Persons to any Penalty for issuing or circulating any such Tokens.

IV. And be it further enacted, That all Penalties and Forfeitures imposed by this Act shall and may be recoverable, and recovered and levied, and applied in like manner and by such means as the like Penalties and Forfeitures are made recoverable by the said recited Act; and all the Powers, Authorities, Clauses and Provisions in the said recited Act contained, shall be, and remain and continue in full force, and be applied and executed for the enforcing the Provisions of this Act, and for the recovering and applying of any Penalties and Forfeitures under this Act, as fully and effectually as if all such Powers, Authorities, Clauses and Provisions were severally and separately re-enacted in and made Part of this Act.

V. And be it further enacted, That this Act may be altered, amended or repealed by any Act or Acts to be passed in the present Session of Parliament.

C A P.

## C. A. P. XX.

An Act to allow a limited Proportion of the Corps of Miners to enlist into the Regular Forces. [23d March 1813.]

**W**HEREAS it is expedient that an Act passed in the Fifty first Year of His present Majesty, intituled *An Act to allow a certain Proportion of the Militia of Great Britain to enlist annually into the Regular Forces; and to provide for the gradual Reduction of the said Militia*, should be extended to the Corps of Miners raised under the Provisions of an Act passed in the Forty second Year of His present Majesty, intituled *An Act for repealing an Act made in the Thirty eighth Year of the Reign of His present Majesty, intituled An Act for raising a Body of Miners in the Counties of Cornwall and Devon for the Defence of the Kingdom during the present War; and for the more effectually raising and regulating a Body of Miners for the Defence of Great Britain:* 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 the said recited Act of the Fifty first Year aforesaid, and all the Provisions thereof, so far as the same can be made to apply to the said Corps of Miners, shall extend and be construed to extend to the said Corps of Miners, established under the Provisions of the said recited Act of the Forty second Year aforesaid, as fully and effectually as if the same were respectively, severally and separately re-enacted and inserted in and made a Part of this Act.

51 G. 3. c. 20.

42 G. 3. c. 72.

51 G. 3. c. 20.  
to extend to  
Corps of Miners.

**II.** And be it further enacted, That the Number of Men who shall be allowed to enlist in His Majesty's Regular Forces, under the Provisions of this Act, shall not exceed One seventh Part of the Quota fixed by the said recited Act of the Forty second Year aforesaid.

Number of Men  
allowed to enlist.

**III.** And be it further enacted, That the Lord Warden of the Stannaries, and the Deputy Wardens, shall respectively have and exercise all the Powers and Authorities for the putting this Act into Execution in relation to the said Corps of Miners, which the Lieutenants and Deputy Lieutenants are respectively authorized to have and exercise within Counties under the said recited Act of the Fifty first Year aforesaid.

Powers of  
Warden of  
Stannaries, &c.

## C. A. P. XXI.

An Act for authorizing the Commissioners of Customs and Excise to make an Allowance for the necessary Subsistence of poor Persons confined for Debts or Penalties sued for under their Orders. [23d March 1813.]

**W**HEREAS in consequence of their not receiving any Allowance whereon to subsist during their Confinement, Distress is sometimes suffered by poor Persons confined under Exchequer Process, for the Recovery of Duties and Penalties under or by virtue of the Acts of Parliament relating to the Duties of Customs and Excise under Warrants of Commitment in Execution commonly called *Body Warrants*, issued by the Commissioners of Excise in England, or by Justices of the Peace within Great Britain, under

Allowance to  
poor Persons  
confined under  
Exchequer  
Process.

‘ or by virtue of Acts of Parliament relating to the Departments of Customs and Excise respectively, or under Writs of Extent for Debts due to His Majesty, sued for under or by virtue of the Order of the Commissioners of Customs and Excise in *England* and *Scotland* respectively, or upon Bonds taken pursuant to Orders in Council; and it is therefore expedient, that the Authority hereinafter mentioned should be given to the Commissioners of Customs and Excise in *England* and *Scotland* respectively;’ 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, for the necessary Subsistence of any poor Person confined under or by virtue of any Exchequer Process, for the Recovery of any Duties or Penalties under or by virtue of any Act or Acts of Parliament now in force, or hereafter to be made, relating to the Departments of Customs and Excise, or either of them, or confined under or by virtue of any Warrant or Warrants of Commitment in Execution commonly called *A Body Warrant*, issued by the Commissioners of Excise in *England*, or by any Justices of the Peace within *Great Britain*, under or by virtue of any Act or Acts of Parliament now in force, or hereafter to be made, relating to the Department of Customs and Excise, or either of them, or confined under or by virtue of any Writ or Writs of Extent for Debts due to His Majesty, sued for under or by virtue of the Order of the Commissioners of Customs or Excise in *England* and *Scotland* respectively, or on Suit upon Bonds taken pursuant to Orders in Council, it shall and may be lawful to and for the Commissioners of Customs or Excise, as the case may require, or any Four or more of them in *England*, or any Three or more of them in *Scotland*, to cause an Allowance not exceeding the Sum of Seven pence Halfpenny and not less than Four pence Halfpenny *per* Day to be made to any such poor Person, out of any Money in their Hands respectively, arising from the Duties of Customs or Excise, as the case may require.

### C A P. XXII.

An Act for empowering the Commissioners of Excise to sell Salt seized, Duty free, either for Exportation or for curing Fish, and to reward the seizing Officer. [23d March 1813.]

38 G. 3. c. 89.

‘ **W**HEREAS by an Act made in the Thirty eight Year of the Reign of His present Majesty King George the Third, intituled *An Act for transferring the Management of the Salt Duties to the Commissioners of Excise; and for repealing the Duties on Salt, and the Drawbacks, Allowances and Bounties paid thereout, and for granting other Duties, Drawbacks, Allowances and Bounties thereon*, and by divers other Laws now in force, Salt is forfeited and seizable by the Officers of the Customs and Excise respectively: And whereas the Value of such Salt when condemned and sold is sometimes inadequate to defray the Expences necessarily incidental to such Condemnation and Sale, in which cases no Reward is provided for the Officers’ Vigilance and Trouble of seizing the same, and it is therefore expedient to make such Provision as is hereinafter mentioned;’ Be it therefore enacted by the King’s Most Excellent

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 upon the putting up or offering to public Sale any Salt which is now or hereafter shall be seized by any Officer or Officers of the Customs or Excise, and condemned under or by virtue of any Act or Acts of Parliament now in force, or which shall hereafter be made, no Person or Persons shall offer or bid for the same such Sum or Sums of Money as shall be equal to or exceed the Duties by Law imposed, for or in respect of Salt made at any Salt Works in *England* or *Scotland* respectively, together with the Costs and Expences of the Seizure, Removal, Condemnation, Custody and Sale of such Salt so seized and condemned, the Commissioners of the Customs or Excise in *England* or *Scotland* respectively, as the case may require, or any Three or more of them respectively, shall cause the same to be put up and offered to public Sale by way of Auction, and sold free of Duty to the best Bidder, at such Places as the said respective Commissioners shall think proper, either for Exportation or for the Purpose of curing or preserving Fish, and a Moiety of the Surplus (if any be), after defraying the necessary Expences of the Seizure, Removal, Condemnation, Custody and Sale, shall be applied to and for the Benefit of the Officer or Officers seizing such Salt, and in case the same cannot be so sold for Exportation or the Fisheries, then and in every such case they the said Commissioners of Customs and Excise in *England* or *Scotland*, as the case may require, or any Three or more of them respectively, shall cause the said Salt to be destroyed; and in case the Money arising from the Sale of the said Salt so to be sold as aforesaid for Exportation or for the Fisheries, shall not be sufficient to satisfy, or shall not be more than sufficient to satisfy the whole of such Costs and Expences, together with Five Shillings *per* Bushel over and above the same, or if such Salt shall be destroyed as aforesaid, the said Commissioners of Customs and Excise respectively, or any Three or more of them respectively, shall cause to be given to the Officer or Officers by whom the same was seized, such pecuniary Reward as they the said Commissioners respectively shall think proper, such Reward not exceeding Five Shillings *per* Bushel for each and every Bushel of such Salt so sold or destroyed.

II. And be it further enacted, That all Salt so sold, either for Exportation, or for the Purpose of curing or preserving Fish, shall, on such Sale, so far as the same can or may be done, be dealt with in such and the same manner as Salt for Exportation, or for curing or preserving Fish, as the case may require, is or shall be liable to be dealt with under or by virtue of the said Act of the Thirty eighth Year aforesaid, or any other Act or Acts of Parliament now in force or hereafter to be made, and shall be subject and liable to all and singular the Rules, Regulations, Restrictions and Provisions, and all and singular the Fines, Penalties and Forfeitures for any Breach or Disobedience thereof, in or by the said Acts or any of them contained, provided, settled or established, for or in respect of Salt for Exportation or for curing or preserving Fish, as the case may require, and all and singular the said Rules, Regulations, Restrictions, Provisions, Fines, Penalties and Forfeitures respectively, shall be used, applied and put in Execution, so far as the same respectively can or may be done for or in respect of all such Salt so sold either for Exportation

Salt seized sold by Auction free of Duty either for Exportation or for curing Fish, and if it cannot be sold to be destroyed.

Reward to Officers for seizing such Salt.

Regulations of recited Act and other Acts in respect of Salt for Exportation, &c. extended to Act.

tion or for the Purpose of curing or preserving Fish, as the case may be, as fully and effectually, to all Intents and Purposes, as if all and singular the said Rules, Regulations, Restrictions, Provisions, Fines, Penalties and Forfeitures respectively had been inserted and re-enacted in the Body of this Act, and thereby expressly applied to such Salt so sold either for Exportation or for the Purpose of curing or preserving Fish respectively.

### C A P. XXIII.

An Act to repeal so much of an Act of this Session as continues the Prohibition of the making of Starch from Wheat and other Articles of Food. [23<sup>d</sup> March 1813.]

53 G. 3. c. 2.

‘ WHEREAS an Act was passed in the present Session of Parliament, intituled *An Act to continue, until the First Day of October One thousand eight hundred and thirteen, and amend an Act of the last Session of Parliament, for prohibiting the making of Starch, Hair Powder, and Blue from Wheat and other Articles of Food; and for suspending Part of the Duties now payable on the Importation into Great Britain of Starch*: And whereas it is expedient to repeal the said Act;’ 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 shall be and the same is hereby repealed.

repealed.

Suspension of  
52 G. 3. c. 12.  
§ 9, &c.  
continued.

II. Provided always, and be it enacted, That the Suspension of Part of the Duties of Customs upon Starch imported into *Great Britain*, directed by an Act made in the Fifty second Year of His present Majesty, shall continue until the First Day of *October One thousand eight hundred and thirteen*; any thing herein contained to the contrary notwithstanding.

Act altered, &c.

III. And be it further enacted, That this Act may be varied, altered or repealed by any Act to be made in this Session of Parliament,

### C A P. XXIV.

An Act to facilitate the Administration of Justice.

[23<sup>d</sup> March 1813.]

‘ WHEREAS the Number of Appeals and Writs of Error in Parliament has of late Years greatly increased, and it has become necessary that a larger Proportion of time should be allotted for hearing and determining such Appeals and Writs of Error than has usually been employed for that Purpose; and therefore as well as for the better Administration of Justice in the several judicial Functions belonging to the Offices of the Lord High Chancellor, Lord Keeper, or Lords Commissioners for the Custody of the Great Seal of the United Kingdom, it is expedient that another Judge should be appointed to assist in the Discharge of such judicial Functions;’ Be it therefore enacted by the King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for His Majesty, his Heirs and Successors, to nominate and appoint from time to time, by Letters Patent under the Great Seal of the United Kingdom, a fit Person, being a Barrister at

His Majesty empowered to appoint an additional Judge Assistant to the Lord Chancellor, to be called Vice Chancellor of England.

at Law of Fifteen Years standing at the least, to be an additional Judge Assistant to the Lord High Chancellor, Lord Keeper or Lords Commissioners for the Custody of the Great Seal of the United Kingdom for the time being, in the Discharge of the judicial Functions of their respective Offices, and to be called *Vice Chancellor of England*; to hold such Office during his good Behaviour.

II. And be it further enacted by the Authority aforesaid, That such Vice Chancellor shall have full Power to hear and determine all Causes, Matters and Things, which shall be at any time depending in the Court of Chancery of *England*, either as a Court of Law, or as a Court of Equity, or incident to any ministerial Office of the said Court, or which have been or shall be submitted to the Jurisdiction of the said Court, or of the Lord Chancellor, Lord Keeper or Lords Commissioners for the Custody of the Great Seal, for the time being, by the special Authority of any Act of Parliament, as the Lord Chancellor, Lord Keeper or Lords Commissioners for the Custody of the Great Seal, shall from time to time direct; and all Decrees, Orders and Acts of such Vice Chancellor, so made or done, shall be deemed and taken to be respectively, as the nature of the case shall require, Decrees, Orders and Acts of the said Court of Chancery or of such incident Jurisdiction as aforesaid, or under such special Authority as aforesaid, and shall have Force and Validity, and be executed accordingly; subject nevertheless in every case to be reversed, discharged or altered by the Lord Chancellor, Lord Keeper or Lords Commissioners for the Custody of the Great Seal, for the time being; and no such Decree or Order shall be enrolled until the same shall be signed by the Lord Chancellor, Lord Keeper or Lords Commissioners of the Great Seal for the time being: Provided always, that such Vice Chancellor shall have no Power or Authority to discharge, reverse or alter any Decree, Order, Act, Matter or Thing made or done by any Lord Chancellor, Lord Keeper or Lords Commissioners for the Custody of the Great Seal, unless authorized by the Lord Chancellor, Lord Keeper or Lords Commissioners for the time being so to do; nor any Power or Authority to discharge, reverse or alter any Decree, Order, Act, Matter or Thing made or done by the Master of the Rolls.

To hear and determine Causes in Chancery of England either in Law or Equity.

Decrees valid, &c.

III. And be it further enacted by the Authority aforesaid, That such Vice Chancellor shall sit for the Lord Chancellor, Lord Keeper or Lords Commissioners for the Custody of the Great Seal, whenever they shall respectively require him so to do; and shall also at such other times as the Lord Chancellor, Lord Keeper or Lords Commissioners of the Great Seal shall direct, sit in a separate Court, whether the Lord Chancellor, Lord Keeper or Lords Commissioners of the Great Seal, or the Master of the Rolls shall be sitting or not; for which Purpose the said Lord Chancellor, Lord Keeper or Lords Commissioners of the Great Seal respectively, shall make such Orders as to them respectively shall appear to be proper and convenient from time to time as Occasion shall require.

Vice Chancellor to sit in Absence of Lord Chancellor, &c. or in a separate Court at same time as Lord Chancellor is sitting.

IV. And be it further enacted by the Authority aforesaid, That such Vice Chancellor shall have Rank and Precedence next to the Master of the Rolls.

Rank and Precedence.

V. And be it further enacted by the Authority aforesaid, That it shall be lawful for His Majesty, his Heirs and Successors, in and by such Letters Patent as aforesaid, or any other Letters Patent under

Secretary, Trainbearer and Usher.

under the Great Seal of the United Kingdom, to direct that such Vice Chancellor shall have a Secretary, Trainbearer and Usher; and that the Secretaries and Deputy Registers and other Officers appointed to attend the Lord Chancellor, Lord Keeper or Lords Commissioners of the Great Seal, shall attend such Vice Chancellor when sitting for the Lord Chancellor, Lord Keeper or Lords Commissioners respectively, and also when sitting in his separate Court, as circumstances shall require, and as the said Lord Chancellor, Lord Keeper or Lords Commissioners respectively shall order and direct.

May be removed.

VI. Provided always, and be it further enacted, That it shall be lawful for His Majesty, his Heirs and Successors, to remove any such Vice Chancellor from his Office, upon an Address of both Houses of Parliament.

Oath.

VII. And be it further enacted by the Authority aforesaid, That the said Vice Chancellor, previous to his executing any of the Duties of his Office, shall take the following Oath, which the Lord Chancellor, Lord Keeper or Lords Commissioners of the Great Seal, or the Master of the Rolls for the time being, are hereby respectively authorized and required to administer; *videlicet*,

‘ I do solemnly and sincerely promise and swear,  
‘ That I will duly and faithfully, and to the best of my Skill and  
‘ Power, execute the Office of Vice Chancellor of *England*.  
‘ So help me God.’

Money of Suitors in Chancery, not exceeding 60,000*l.* lying unemployed at Bank, placed out on Government, &c. Security; and from Interest, Salaries of Vice Chancellor, &c. to be paid quarterly.

VIII. And be it further enacted, That out of the Common and General Cash belonging to the Suitors of the Court of Chancery, which now lies or shall hereafter lie dead and unemployed in the Bank of *England*, a Sum, not exceeding the Sum of Sixty thousand Pounds, shall and may, by virtue of any Order or Orders of the said Court to be made for that Purpose from time to time, be placed out in one entire Sum, or in Parcels, in the Name of the Accountant General of the said Court, according to the General Rules and Orders of the said Court, on such Government or Parliamentary Securities, as by such Order or Orders shall be directed; and such Securities shall be carried to an Account raised in pursuance of former Acts of Parliament, and intituled “Account of Monies placed out for the Benefit and better Security of the Suitors of the High Court of Chancery,” and shall be made Part of the same Account; and out of the Interest and Dividends of all or any of the Securities purchased out of the said Common and General Cash in pursuance of former Acts, and to be purchased in pursuance of this Act, there shall be paid by the Governor and Company of the Bank of *England*, by virtue of any Order or Orders of the Court of Chancery, to be made from time to time for that Purpose (but subject and without Prejudice to the Payment of all Salaries and Sums of Money by any former Act directed or authorized to be paid thereout), the several Salaries hereinafter mentioned; (that is to say,) the net yearly Sum of Five thousand Pounds to the said Vice Chancellor for the time being, the net yearly Sum of Two hundred Pounds to his Secretary, the net yearly Sum of One hundred Pounds to his Trainbearer, and the net yearly Sum of Eighty Pounds to his Usher; which Salaries shall be paid free from Taxes, and shall be paid Quarterly, on the Tenth Day of *January*, the Tenth Day of *April*, the Tenth Day



Day of July, and the Fifteenth Day of *October*, in every Year; and the First of such Payments, or a proportionable Part thereof, to be computed from the time of the Appointment of such Vice Chancellor, shall be made on the First of such Days of Payment which shall first happen after the Date of the Letters Patent appointing such Vice Chancellor, and such Quarterly Payment shall be payable and paid to such Vice Chancellor during the time he shall continue to be Vice Chancellor, and to the Secretary, Trainbearer and Usher of each such Vice Chancellor respectively, during their Continuance in Office, together with a proportionable Part of any Quarterly Payment, to be computed from the last preceding Day of Payment to the time such Vice Chancellor, Secretary, Trainbearer or Usher shall die or cease to hold his Office; and the Surplus of the Interest and Dividends of the Securities to be purchased in pursuance of this Act shall be applied in the same manner as the Surplus of the Interest and Dividends of Securities purchased pursuant to the said former Acts is directed to be applied.

IX. And be it further enacted, That it shall and may be lawful for the Lord Chancellor, Lord Keeper or Lords Commissioners for the Custody of the Great Seal of the United Kingdom for the time being, by any Order or Orders of the said Court of Chancery, to change the Security or Securities to be purchased pursuant to this Act, or any Part or Parts thereof, for other Government or Parliamentary Securities, and again to change such Securities respectively from time to time, and to give all necessary Directions for such Purposes.

Changing Securities.

X. Provided always, and be it further enacted, That if at any time hereafter the whole or any Part of the Money to be placed out pursuant to this Act, shall be wanted to answer any of the Demands of the Suitors of the said Court of Chancery, then and in such case the said Court may and shall direct the same or any Part thereof to be called in, or the Securities on which the same shall be placed to be disposed of, in order that the Suitors of the said Court may at all times be paid their respective Demands out of the Common and General Cash belonging to such Suitors.

Money placed out, called in for answering the Demands of Suitors.

XI And be it further enacted, That out of the Interests and Dividends aforesaid, the Costs, Charges and Expences of all Proceedings to be had in Execution in pursuance of this Act, shall be paid by the Governor and Company of the Bank of *England* by virtue of any Order or Orders of the High Court of Chancery to be made for that Purpose.

Costs, &c. paid from Interest and Dividends.

XII. And be it further enacted That the Lord Chancellor, Lord Keeper or Lords Commissioners for the time being, shall, from the time a Vice Chancellor shall be appointed in manner hereinbefore mentioned, out of the Fees and Emoluments belonging to and received in respect of the Custody of the Great Seal, or otherwise, pay or cause to be paid to the Governor and Company of the Bank of *England*, the net yearly Sum of Two thousand five hundred Pounds, by Four Quarterly Payments, on the Tenth Day of *January*, the Tenth Day of *April*, the Tenth Day of *July* and the Fifteenth Day of *October* in every Year; and the First of such Payments, or a proportionable Part thereof, to be computed from the time of appointing such Vice Chancellor, shall be made on such of the said Days of Payment as shall first happen after the Date of the Letters Patent appointing such

Additional Sum of 2,500l. set apart and paid quarterly out of Fees of Lord Chancellor, &c. and carried to Account of Aggregate Fund.

such Vice Chancellor as aforesaid; and in case it shall happen that any Lord Chancellor, Lord Keeper or Lord Commissioner shall die or cease to hold his Office between any of the said Quarterly Days of Payments, such Person so ceasing to hold his Office, and the Executors or Administrators of such Person so dying, shall pay a just Proportion of the accruing Quarterly Payment, according to the time which shall elapse between the last Day of Payment and the Death of such Person, or of his ceasing to hold his Office; and the Person or Persons who shall succeed to the Office of Lord Chancellor, Lord Keeper or Lord Commissioner, shall pay the Remainder of such Quarterly Payment; and the Lord Chancellor, Lord Keeper or Lords Commissioners for the time being, shall make Orders from time to time, as Occasion shall require, for ascertaining the Sums of Money to be paid to the said Governor and Company in pursuance of this Act; and all such Sums of Money, when so paid to the said Governor and Company, shall be carried to the Account of the Interest and Dividends of the Securities hereinbefore mentioned, and may be applied to all the Purposes to which such Interest and Dividends are or may be applicable.

Fees not to be  
received.

XIII. And be it further enacted, That the said Vice Chancellor and his Officers respectively shall not take or receive, or demand any Fee or Reward whatsoever, over and above the Salaries hereinbefore directed to be paid to them respectively, for or in respect of any Business which shall be done by such Vice Chancellor or his Officers, by virtue of the Powers and Authorities given by this Act; but that all Fees for such Business shall be taken and received by the Lord Chancellor, Lord Keeper or Lords Commissioners for the Custody of the Great Seal for the time being, or his or their proper Officers, in such and the same Manner as if such Business had been done by such Lord Chancellor, Lord Keeper or Lords Commissioners respectively.

#### C A P. XXV.

An Act for the regulating of His Majesty's Royal Marine Forces while on Shore. [23<sup>d</sup> March 1813.]

WHEREAS it may be necessary, for the Safety of the United Kingdom, and the Defence of the Possessions of the Crown of Great Britain and Ireland, that a Body of Royal Marine Forces should be employed in His Majesty's Fleet and Naval Service, under the Direction of the Lord High Admiral or Commissioners for executing the Office of Lord High Admiral of the United Kingdom of Great Britain and Ireland: And whereas the said Royal Marine Forces may frequently be quartered on Shore, or sent to do Duty on Board Transport Ships or Merchant Ships or Vessels, where they will not be subject to the Laws relating to the Government of His Majesty's Forces by Sea; yet nevertheless it being requisite for the retaining of such Forces in their Duty, that an exact Discipline be observed; and that Marines who shall mutiny or stir up Sedition, or shall desert His Majesty's Service, be brought to a more exemplary and speedy Punishment than the Law will allow; 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

by the Authority of the same, That, from and after the Twenty fifth Day of *March* One thousand eight hundred and thirteen, if any Person being entered or in Pay as an Officer of Royal Marines, or who is or shall be listed or in Pay as a Non Commissioned Officer or Private Man in any Division of Royal Marines in His Majesty's Service, and on the Twenty fifth Day of *March* One thousand eight hundred and thirteen shall remain in such Service, or, during the Continuance of this Act, shall be voluntarily entered and in Pay, as a Marine Officer or Private Man in His Majesty's Service; and being ordered or employed in such Service, at any time during the Continuance of this Act, on Shore in any Place within the said Kingdom, or in any other of His Majesty's Dominions, or in Foreign Parts, or on board any Transport Ship or Merchant Ship or Vessel, shall begin, excite, cause or join in any Mutiny or Sedition in the Company to which he doth or shall belong, or in any other Company, Troop or Regiment, either of Marine or Land Forces, in His Majesty's Service; or shall not use his utmost Endeavours to suppress the same, or coming to the Knowledge of any such Mutiny, or intended Mutiny, shall not, without Delay, give Information thereof to his Commanding Officer; or shall desert His Majesty's Service, or being actually entered as a Marine in any Company, shall list himself in any other Company, Troop or Regiment, or enter as a Seaman in His Majesty's Service, without first having a Discharge in Writing from the Officer commanding in Chief the Company in which he last served as a Marine, in which case he shall be reputed a Defterter; or shall be found sleeping upon his Post; or shall leave it before relieved; or shall hold Correspondence with any Rebel or Enemy of His Majesty, or give them Advice or Intelligence of any Kind, by any ways or means, or in any manner whatsoever; or shall treat with such Rebels or Enemies, or enter into any Condition with them, without His Majesty's Licence, or Licence of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or Three or more of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland* for the time being; or shall strike or use any Violence against his superior Officer being in the Execution of his Office; or shall disobey any lawful Command of his Superior Officer; all and every Person and Persons so offending in any or either of the Matters before mentioned, on Shore, in any Part of this Kingdom, or in any other of His Majesty's Dominions, or in Foreign Parts, or on board any Transport Ship or Merchant Ship or Vessel, shall suffer Death, or such other Punishment as by a Court Martial shall be inflicted.

II. And be it further enacted, That it shall and may, from time to time during the Continuance of this Act, be lawful to and for the said Lord High Admiral, or Three or more of the said Commissioners for executing the said Office of Lord High Admiral for the time being, to grant a Commission, under his or their respective Hand or Hands, to any Officer of Royal Marines in His Majesty's Service, not under the Degree of a Field Officer, for the holding a General Court Martial at any Place or Places, on Shore, in this Kingdom, or in any other of His Majesty's Dominions; in every of which Courts Martial all or any of the Offences aforesaid, and all or any other of the Offences hereinafter specified, shall be tried and proceeded against in such manner as by this Act is directed.

III. And

Marine Officer,  
Non Commis-  
sioned Officer  
and Private  
Man.

Mutinying or  
deserting, &c.

listing in other  
Regiment, &c.

sleeping on or  
deserting his  
Post, or holding  
Correspondence  
with the Enemy;

or striking or dis-  
obeying his super-  
ior Officer.

Punishment.

Admiralty grant-  
ing a Commis-  
sion for holding  
Court Martial,  
&c.

Courts Martial may inflict Corporal Punishment for Immoralities, &c.

III. And be it also enacted, That it shall and may be lawful to and for such Courts Martial respectively, by their Sentence or Judgment, to inflict Corporal Punishment not extending to Life or Limb, on any Marine for Immorality, Misbehaviour or Neglect of Duty, on Shore, in any Place or Places within this Kingdom, or in any other of His Majesty's Dominions, or in Transports or Merchant Ships or Vessels, during the Continuance of this Act.

Admiralty empowered to make Articles for Punishment of Mutiny and Desertion, &c.

IV. And be it further enacted, That it shall and may be lawful to and for the said Lord High Admiral, or Three or more of the Commissioners for executing the Office of Lord High Admiral, at any time during the Continuance of this Act, to make and establish Rules and Articles in Writing, under his or their respective Hand or Hands, for the Punishment of Mutiny and Desertion, Immorality, Misbehaviour and Neglect of Duty, in any of His Majesty's Royal Marine Forces, while on Shore, in any Part of this Kingdom, or in any other of His Majesty's Dominions, or in Foreign Parts, or in Transport or Merchant Ships or Vessels, and for bringing Offenders against the same to Justice, and to erect and constitute Courts Martial, with Power to try, hear and determine any Crimes or Offences specified in such Rules and Articles, and inflict Punishments, by Sentence or Judgment for the same according to the true Intent and Meaning of this Act; and all such Articles of War shall from time to time, as soon after the same shall have been established as the same can be done, be transmitted by the Secretary of the Admiralty for the time being to the Judges of His Majesty's Courts at *Westminster* and *Dublin*, and into *Scotland* respectively.

and to constitute Courts Martial.

Articles of War transmitted to Judges.

Proviso for Life and Limb.

V. Provided always, That no Person or Persons shall be adjudged to suffer any Punishment extending to Life or Limb by the said Rules or Articles, within this Kingdom, except for such Crime or Crimes as is or are expressed to be so punishable by this Act.

Oaths by Members of Divisional Courts Martial, &c.

VI. Provided also, and be it further enacted, That in all Trials by any Divisional or Detachment Courts Martial which shall be held by virtue of this Act, or of any Articles of War established in pursuance thereof, every Member assisting at such Trial, before any Proceedings be had thereupon, shall take the Oaths hereinafter mentioned upon the Holy Evangelists (which Oath shall and may be administered by the President of the Court to the other Members thereof, and to the President by any Member having first taken the said Oaths); that is to say,

Oaths.

‘ YOU shall well and truly try and determine according to your Evidence in the Matter now before you. ‘ So help you GOD.’

‘ I *A. B.* do swear, That I will truly administer Justice according to the Rules and Articles for the better Government of His Majesty's Royal Marine Forces when on Shore, and according to an Act of Parliament now in force for the Punishment of Mutiny and Desertion, and of other Crimes therein mentioned, without Partiality, Favour or Affection; and if any Doubt shall arise (which is not explained by the said Articles, or Act of Parliament) according to my Conscience, and the best of my Understanding, and the Custom of War. So help me GOD.’

And the President of every such Court Martial (not being under the Rank of a Captain) shall be appointed by the Commanding Officer of the

the Division or Detachment directing such Court Martial; and every such Divisional or Detachment Court Martial is hereby authorized and directed to administer an Oath to every Witness that shall appear before them.

VII. And be it further enacted and declared, That in case of any Non Commissioned Officer or Marine tried and convicted of Desertion, whensoever the Court Martial which shall pass Sentence upon such Trial shall not think the Offence deserving of Capital Punishment, such Court Martial may, instead of awarding a Corporal Punishment, adjudge the Offender, if they shall think fit, to be transported as a Felon for Life, or for a certain Term of Years, according to the Degree of the Offence: And if such Non Commissioned Officer or Marine, having been adjudged to be transported as a Felon, shall afterwards (without Leave from His Majesty, or from the Governor or Commanding Officer of the Place to which he shall have been transported) return into any Part of the United Kingdom of *Great Britain and Ireland*, before the Expiration of the Term limited by such Sentence, and shall be convicted thereof in the Ordinary Courte of Law, he shall suffer Death.

Defetter ad-  
judged to be  
transported.

returning with-  
out Leave, &c.

Death.

VIII. Provided always, and be it enacted, That in all cases wherein a Capital Punishment shall have been awarded by a Court Martial, it shall be lawful for His Majesty, instead of causing such Sentence to be carried into Execution, to order the Offender to be transported as a Felon for Life, or for a certain Term of Years, as to His Majesty shall seem meet; and if the Person so transported in pursuance of such Order from His Majesty, shall afterwards (without Leave from His Majesty, or from the Governor or Commanding Officer of the Place to which he shall have been transported), return into any Part of *Great Britain or Ireland*, before the Expiration of the Term limited by such Order, and shall be duly convicted thereof, he shall suffer Death.

His Majesty,  
where Courts  
Martial award  
Capital  
Punishment,  
may order  
Offenders to be  
transported as  
Felon, &c.

IX. And be it further enacted, That whenever His Majesty shall intend any such Sentence of a Court Martial to be carried into Execution, or shall be graciously pleased to extend his Mercy, upon Condition of Transportation, to any Offender liable to the Punishment of Death by the Sentence of a Court Martial, such Sentence, together with His Majesty's Pleasure upon the same, shall be notified in Writing by the Lord High Admiral of the United Kingdom of *Great Britain and Ireland*, or the Commissioners for executing the Office of Lord High Admiral for the time being, or any Three or more of them, to any Justice of the King's Bench, Common Pleas, or Baron of the Exchequer of the Degree of the Coif, and thereupon such Justice or Baron shall make an Order for the Transportation of such Offender upon the Terms and for the Time which shall be specified in such Notification, and shall also make such other Order or Orders, and do all such other Acts consequent upon the same, as any such Justice or Baron is authorized to make or do by an Act passed in the Twenty fourth Year of His Majesty's Reign, intituled *An Act for the effectual Transportation of Felons and other Offenders, and to authorize the Removal of Prisoners in certain cases; and for other Purposes therein mentioned*, with respect to Offenders in such Act mentioned, tried at any Court of Oyer and Terminer or Gaol Delivery in *England*, as in the said Act mentioned; and such Order and Orders so to be made as aforesaid, and all such Acts as shall be so done

In what case  
Sentence with  
His Majesty's  
Pleasure notified  
by Admiralty to  
any Justice of  
K. B. &c. Order  
for Transporta-  
tion of such Of-  
fenders as by  
24 G. 3. Sess. 2.  
c. 36.

as aforesaid, shall be obeyed and done by such Person in whose Custody such Offender shall at that time be, and all other Persons whom it may concern, and shall be as effectual and have all the same Consequences as any Order made under the Authority of the said Act with respect to any Offender in the said Act mentioned; and every Sheriff, Gaoler, Keeper, Governor or Superintendent whom it may concern, and all Constables, and other Persons, shall be bound to obey the aforesaid Order and Orders, be assistant in the Execution thereof, and be liable to the same Punishment for Disobedience or interrupting the Execution of the same, as they would be if the same had been made under the Authority of the aforesaid Act; and every Person so ordered to be transported as aforesaid shall be subject respectively to all and every the Provision and Provisions made by Law, and now in force concerning Persons convicted of any Crime and sentenced to be transported, or receiving His Majesty's Pardon on Condition of Transportation.

Notification filed  
with Clerk of  
The Crown.

X. And be it further enacted, That the Justice or Baron who shall make any such Order as aforesaid, under any such Notification of His Majesty's Pleasure as aforesaid, shall direct the said Notification, and his own Order made thereupon, to be filed in the Office of the Clerk of the Crown of His Majesty's Court of King's Bench, and to be there kept of Record; and the said Clerk of the Crown shall receive a Fee of Two Shillings and Six pence, and no more, for filing the same.

Certificate of  
Conviction  
delivered.

XI. And be it further enacted, That the said Clerk of The Crown of His Majesty's Court of King's Bench shall upon the Application of any such Offender who shall be ordered by His Majesty to be transported as aforesaid, or of any other Person applying on his Behalf, or on the Application of any Person on Behalf of His Majesty, deliver a Certificate in Writing under his Hand (not taking for the same more than Two Shillings and Six pence), containing an Account of the Christian Name and Surname of such Offender, of his Offence, of the Place where the Court was held, before whom he was convicted, and of the Terms and Conditions on which His Majesty's Order for such Offender's Transportation was given; which Certificate shall be sufficient Proof of the Conviction and Sentence of such Offender, and also of the Terms on which such Order for his Transportation was given in any Court, and in any Proceeding wherein it may be necessary to enquire into the same.

Offenders under  
Sentence of  
Death, obtaining  
His Majesty's  
conditional  
Pardon.  
Escape.

XII. And be it further enacted, That if any Offender, under Sentence of Death by a Court Martial as aforesaid, shall obtain His Majesty's conditional Pardon as aforesaid, all and every the Laws now in force touching the Escape of Felons under Sentence of Death, shall apply to such Offender, and to all Persons aiding, abetting or assisting in any Escape, or intended Escape of any such Offender, or contriving any such Escape, from the time when such Order shall be made by such Justice or Baron as aforesaid, and during all the several Proceedings which shall be had for the Purposes aforesaid.

General Court  
Martial, Num-  
ber of Members.

XIII. And it is hereby further enacted and declared, That no General Court Martial which shall have Power to sit by virtue of this Act, shall consist of a less Number than Thirteen, whereof none to be under the Degree of a Commissioned Officer; except Courts

Martial to be holden on any Officer, Non Commissioned Officer or Private Marine, who may be serving on Shore in any Place beyond the Seas and out of His Majesty's Dominions or out of the *East Indies*, in which cases any General Court Martial may consist of any Number not less than Seven, and the President of such Court Martial shall not be under the Degree of a Field Officer of Royal Marines, unless where such Field Officer cannot be had; in which case the Marine Officer next in Seniority to such Field Officer, not being under the Degree of a Captain, shall preside at such Court Martial; and that such Court Martial shall have Power and Authority, and are hereby required to administer an Oath to every Witness, in order to the Examination or Trial of any of the Offences that shall come before them.

XIV. And be it further enacted, That in all Trials of Offenders by General Courts Martial to be held by virtue of this Act, every Officer present at such Trial, before any Proceedings be had thereupon, shall take the following Oaths upon the Holy Evangelists, before the Court and Judge Advocate, or his Deputy (who are hereby authorized to administer the same), in these Words; that is to say,

Oaths by Members of General Courts Martial.

“YOU shall well and truly try and determine according to the Evidence which shall be given in the Matter now before you, between our Sovereign Lord The King's Majesty and the Prisoner to be tried.  
‘ So help you GOD.’

Oaths.

“I A. B. do swear, That I will duly administer Justice, according to an Act of Parliament now in force, for the Regulation of His Majesty's Royal Marine Forces while on Shore, and according to the Rules and Articles made in pursuance of the said Act of Parliament for the Punishment of Mutiny and Desertion, and other Crimes therein respectively mentioned, without Partiality, Favour or Affection; and if any Doubt shall arise (which is not explained by the said Act of Parliament, or the said Rules and Articles), according to my Conscience, the best of my Understanding, and the Custom of War in like cases: And I further swear, That I will not divulge the Sentence of the Court until it shall be approved by the Lord High Admiral, or Three or more of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of Great Britain and Ireland; neither will I, upon any account at any time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court Martial, unless required to give Evidence thereof as a Witness by a Court of Justice, in a due Course of Law.  
‘ So help me GOD.’

And so soon as the said Oaths shall have been administered to the respective Members, the President of the Court is hereby authorized and required to administer to the Judge Advocate, or the Person officiating as such, an Oath in the following Words:

Judge Advocate sworn.

“I A. B. do swear, That I will not upon any account, at any time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court Martial, unless required to give Evidence thereof, as a Witness, by a Court of Justice, in a due Course of Law.  
‘ So help me GOD.’

Oath.

And no Sentence of Death shall be given against any Offender by any such General Court Martial as aforesaid, unless Nine Officers present, or where the Court Martial shall consist of Seven Members, unless Five Officers present shall concur therein; and if there be more Officers

In Sentences of Death, what Number of Officers to concur, &c.

cers present than Thirteen, or Seven respectively, then the Judgment shall pass by the Concurrence of Two Thirds of the Officers present ; and no Proceeding or Trial shall be had upon any Offence, but between the Hours of Eight of the Clock in the Morning and Three in the Afternoon, except in cases which require an immediate Example.

Hours of Trial.

Deferters transported for Life, &c.

XV. And be it further enacted and declared, That in case of any Non Commissioned Officer or Marine tried and convicted of Desertion, whensoever the Court Martial which shall pass Sentence upon such Trial shall not think the Offence deserving of Capital Punishment, such Court Martial may, instead of awarding a Corporal Punishment, adjudge the Offender according to the Nature of the Offence, if they shall think fit, to be transported as a Felon for Life or for a certain Term of Years ; and if such Non Commissioned Officer or Marine, having been adjudged to be transported as a Felon, shall afterwards (without Leave from His Majesty, or from the Governor or Commanding Officer of the Place to which he shall have been transported) return into or be found at large without Leave as aforesaid, or other lawful cause, within any Part of the United Kingdom of Great Britain and Ireland, or in any of His Majesty's Possessions Abroad, other than the Place to which he shall have been transported, before the Expiration of the Term limited by such Sentence, and shall be convicted thereof in the ordinary Course of Law, every such Person shall be deemed and adjudged guilty of Felony, and shall suffer Death as a Felon without Benefit of Clergy.

Courts Martial may sentence Offenders to Imprisonment, &c.

XVI. Provided always, and be it further enacted, That it shall be lawful for any General or other Court Martial to sentence any Non Commissioned Officer, or Private Marine to Imprisonment in any House of Correction, Common Gaol or Public Prison, or in any other Place which such Court may deem fit and convenient for that Purpose ; and all Gaolers and Keepers of such Houses of Correction or Prisons shall receive into their Custody and keep in Confinement, for such time as they shall be respectively required so to do, or until discharged, any Non Commissioned Officer or Private Marine who may have been sentenced to Imprisonment by any General or other Court Martial, and shall provide a proper Place for the Confinement of any such Non Commissioned Officer or Private Marine, according to the Sentence of such Court, during the Period of his Imprisonment, upon receiving an Order in Writing from the Commanding Officer of the Division at which such General or other Court Martial shall have been held ; and every Gaoler and Keeper of a House of Correction or Prison who shall refuse to receive and to confine any such Non Commissioned Officer or Private Marine in manner as aforesaid, shall forfeit, for every such Offence, the Sum of One hundred Pounds, to be recovered by Action of Debt or Information for the Use of His Majesty.

Penalty.

Pay forfeited during Imprisonment.

XVII. And be it further enacted, That every Non Commissioned Officer or Private Marine, to be imprisoned as aforesaid, shall forfeit all Right to any Pay, from the Day of his Commitment, during the time of such Imprisonment ; and also that, during the Continuance of any such Imprisonment, the Gaoler or Keeper of such Prison or House of Correction shall receive the Sum of Nine pence *per Diem* out of the Subsistence of such Non Commissioned Officer or Private Marine, during the time that such Non Commissioned Officer or Private Marine shall continue in Custody, which said Sum the Lords

Commis-



Commissioners of the Admiralty are hereby authorized and required to cause to be paid by the Paymaster of Royal Marines to the said Gaoler or Keeper aforesaid, upon receiving an Application in Writing to their Secretary, signed by any Justice of the Peace for the County or Riding in which such Gaol, Prison, or House of Correction shall be locally situate, together with a Copy of the Order under which the said Non Commissioned Officer or Private Marine was confined: Provided always, that it shall be lawful for the Lords Commissioners of the Admiralty for the time being, if they should think fit, to order the Issue and Payment of the Surplus of such Pay, or any Portion thereof, or of any Arrears thereof, to or on account of such Non Commissioned Officer or Private Marine during or after the Expiration of the Period of his Imprisonment.

Proviso.

XVIII. And be it enacted, That the Party tried by any General Court Martial to be held as aforesaid, shall be entitled to a Copy of the Sentence and Proceedings of such Courts Martial, upon Demand thereof made by himself, or by any other Person or Persons on his Behalf (he or they paying reasonably for the same), at any time not sooner than Three Months after such Sentence, whether such Sentence be approved or not; any thing in this Act to the contrary notwithstanding.

Party entitled to Copy of Sentence and Proceedings.

XIX. And be it enacted, That every Judge Advocate or Person officiating as such at any General Court Martial to be held as aforesaid, do, and he is hereby required to transmit, with as much Expedition as the Opportunity of Time and Distance of Place can admit, the original Proceedings and Sentence of such Court Martial to the Secretary of the Admiralty for the time being; which original Proceedings and Sentence shall be by him carefully kept and preserved in the Office of the Admiralty of *Great Britain and Ireland*, to the End that the Persons entitled thereto may be enabled, upon Application to the said Office, to obtain Copies thereof, according to the true Intent and Meaning of this Act.

Original Proceedings, &amp;c. transmitted to Secretary of Admiralty, &amp;c.

XX. Provided always, and be it hereby declared and enacted, That no Marine, either Officer or Private Man, being acquitted or convicted of any Offence at any such Court Martial as aforesaid, shall be liable to be tried a Second time by the same or any other Court Martial, for the same Offence, and that no Sentence given by any Court Martial, and signed by the President thereof, be liable to be revised more than once.

None tried a Second time for same Offence.

XXI. And be it further enacted, That if any Officer or Private Man, in any of His Majesty's Dominions beyond the Seas, or elsewhere beyond the Seas, commit any of the Offences for which he may be liable to be tried by Courts Martial, by virtue of this Act, and shall escape and come or be brought into this Realm, before he be tried by a Court Martial for such Offence, and shall be apprehended for the same; such Officer or Private Man shall be tried for the same, as if the same Offence had been committed within this Realm.

Deferters beyond Sea, &amp;c. tried here.

XXII. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to exempt any Royal Marine, either Officer or Private Man, whatsoever, while on Shore, from being proceeded against by the ordinary Course of Law.

Act not to exempt any on Shore from ordinary Process.

XXIII. Provided also, and be it further enacted, That no Person or Persons being acquitted or convicted of any Capital Crimes, Violences or Offences by the Civil Magistrate, shall be liable to be punished by a Court Martial for the same, otherwise than by cashiering.

Persons acquitted, &amp;c. by Civil Magistrate cashiered.

Convicted of Criminal Offences not entitled to Pay.

**XXIV.** Provided always, and be it enacted, That no Officer or Marine having been convicted in the ordinary Course of Law of any Criminal Offence, shall, while under confinement in consequence thereof, be entitled to any Part of his Pay from the Day on which such Conviction shall have taken place, nor until the Day of his Return to the Company to which he shall belong.

Accused of Capital Crimes, &c. delivered over to Civil Magistrate, &c.

**XXV.** Provided also, and be it further enacted, That if any Marine Officer, Non Commissioned Officer or Private Man, 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 Commanding Officer or Officers of every Company or Party is and are hereby required to use his and their utmost Endeavours to deliver over such accused Person 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 Commanding Officer shall wilfully neglect or refuse, upon Application made to him for that Purpose, to deliver over any 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 where the Fact is committed, by the Oath of Two credible Witnesses, shall be deemed and taken to be *ipso facto* cashiered and 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 Judge Advocate, who is hereby obliged to certify the same to the next Court Martial.

Officer refusing.

Punishment.

Fictitious Names allowed by His Majesty's Order upon Muster Rolls for Maintenance of Officers' Widows.

**XXVI.** And whereas His Majesty has been graciously pleased, in Compassion to the distressed Condition of several Widows of Officers of the Army, who have lost their Lives in the Service of the late War, or during the late Rebellion, by Orders made under His Royal Sign Manual, to direct His Commissary General of the Musters to allow, upon the Muster Rolls of all the Regiments, Troops and Companies, a Number of fictitious Names therein mentioned, instead of Private Men, in order to raise and settle a Fund for the Maintenance of such Widows of Officers as are or shall be entitled to His Royal Bounty: Therefore, for the more effectually fulfilling His Majesty's said gracious Intentions with respect to the allowing of fictitious Names upon the Muster Rolls of the said Royal Marine Forces while on Shore, for the Purposes aforesaid, be it further enacted and declared, That it shall and may be lawful, during the Continuance of this Act, to and for the said Lord High Admiral, or Three or more of the said Commissioners for executing the said Office of Lord High Admiral for the time being, by Orders in Writing under his or their respective Hand or Hands, to direct the Person for the time being authorized to pay the said Royal Marine Forces, to pay over the full Pay of such fictitious Private Men as shall be allowed on the Muster Rolls of the said Royal Marine Forces while on Shore as aforesaid, to the proper Receiver appointed by His Majesty, according to such Orders and Instructions as His Majesty shall be pleased to make under His Sign Manual, for the Purpose aforesaid; and that no Allowance of any such fictitious

Paymaster to pay full Pay of such Men to Receiver.

Name

Name upon any Muster Roll of the said Royal Marine Forces while on Shore as aforesaid, shall be construed to be a false Muster; any thing in this Act, or any former Act, contained to the contrary notwithstanding.

XXVII. And whereas there is and may be Occasion for the marching and quartering of the said Royal Marine Forces in several Parts of this Kingdom; Be it further enacted, That, for and during the Continuance of this Act, and no longer (in pursuance of an Order or Orders in Writing in that Behalf, under the Hand of the said Lord High Admiral, or under the Hands of Three or more of the Commissioners for executing the said Office of Lord High Admiral for the time being), it shall and may be lawful to and for the Constables, Tithingmen, Headboroughs and other Chief Officers and Magistrates of Cities, Towns and Villages, and other Places within *England* and *Wales*, and the Town of *Berwick upon Tweed*, and in their Default or Absence, for any One Justice of the Peace inhabiting in or near any such City, Town, Village or Place, and for no others; and such Constables, and other Chief Magistrates as aforesaid, are hereby required to quarter and billet the Marines, both Officers and Private Men, in His Majesty's Service, in Inns, Livery Stables, Alehouses, Victualling-houses, and the Houses of Sellers of Wine by Retail, to be drank in their own Houses, or Places thereunto belonging; and all Houses of Persons selling Brandy, Strong Waters, Cyder or Me-theglin, by Retail, to be drank in Houses, other than and except the House or Houses of any Distillers, who keep Houses or Places for distilling Brandy or Strong Waters, and the House of any Shop-keeper whose principal Dealings shall be more in other Goods and Merchandize than in Brandy and Strong Waters (so as such Distillers and Shopkeepers do not permit or suffer Tippling in his or their Houses), and in no other, and in no private Houses whatsoever, without the Consent of the Occupier, nor shall any more Billets at any time be ordered than there are effective Royal Marines present to be quartered; and if any Constable, Tithingman, or such like Officer or Magistrate, as aforesaid, shall presume to quarter or billet any such Officer or Private Man in any such private House without the Consent of the Occupier, in such case such Occupier shall have his or their Remedy at Law against such Magistrate or Officer, for the Damages that such Occupier shall sustain thereby: And if any Marine Officer shall take upon him to quarter Private Men otherwise than is limited and allowed by this Act, or shall use or offer any Menace or Compulsion to any Mayors, Constables or other Civil Officers before mentioned, tending to deter and discourage any of them from performing any Part of their Duty hereby required or appointed; such Marine Officer shall for every such Offence (being thereof convicted before any Two or more of the next Justices of the Peace of the County, by the Oath of Two credible Witnesses) be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to have or hold any Military Employment within this Kingdom, or in His Majesty's Service; provided the said Conviction be affirmed at the next Quarter Sessions of the Peace of the said County, and a Certificate thereof be transmitted to the Judge Advocate, who is hereby obliged to certify the same to the next Court Martial; and in case any Person shall find himself aggrieved, in that such Constable, Tithingman or Headborough, Chief Officer or Magistrate (such Chief Officer or Magistrate

Constables, &c. to quarter Officers and Men in Inns, Alehouses, &c.

but in no Distillers' or Shopkeepers' Houses, or in any private Houses.

Penalty.

Aggrieved by being quartered on, may complain to not

any Justice and  
be relieved.

not being a Justice of the Peace), has quartered or billeted in his House a greater Number of Royal Marines than he ought to bear in Proportion to his Neighbours, and shall complain thereof to One or more Justice or Justices of the Peace of the Division, City or Liberty, where such Royal Marines are quartered; or in case such Chief Officer or Magistrate shall be a Justice of the Peace, then on Complaint made to Two or more Justices of the Peace of such Division, City or Liberty, such Justice or Justices respectively shall have, and is or are hereby declared to have, Power to relieve such Person by ordering such and so many of the said Royal Marines to be removed and quartered upon such other Person or Persons as they shall see cause; and such other Person or Persons shall be obliged to receive such Royal Marines accordingly.

Marines not  
billeted above  
One Mile from  
Place mentioned  
in-Route.

‘ XXVIII. And as very great Detriment and Inconvenience arise to the Service from the dispersing and billeting of Marines when on a March at a great Distance from the Place or Places where they are meant to be quartered, by reason of which they are placed wide of their intended Route for the next Day’s March;’ Be it therefore enacted, That at no time when Marines are on a March shall any of them be billeted above One Mile from the Place or Places mentioned in the Route.

Officers and  
Marines to pay  
Rates for  
Provisions.

XXIX. Provided nevertheless, and it is hereby enacted, That the Marine Officers and Private Men, so quartered and billeted as aforesaid, shall be received and furnished with Diet and Small Beer by the Owners of the Inns, Livery Stables, Alehouses, Victualling-houses, and the Houses of Sellers of Wine, by Retail, to be drunk in their own Houses or Places thereunto belonging, and other Houses in which they are allowed to be quartered and billeted by this Act; paying and allowing for the same the several Rates hereinafter mentioned to be payable out of the Subsistence Money for Diet and Small Beer.

Inholders re-  
fusing to furnish  
Men quartered  
on them with  
Meat, to allow  
them Candles,  
Small Beer, &c.  
gratis.

XXX. Provided always, That in case any Innholder, or other Person on whom any Non Commissioned Officers or Private Men shall be quartered by virtue of this Act (except on a March or employed in recruiting, and likewise except the Recruits by them raised, for the Space of Seven Days at most for such Non Commission Officers and Private Men who are recruiting and Recruits by them raised), shall be desirous to furnish such Non Commission Officers and Private Men with Candles, Vinegar and Salt, and with either Small Beer or Cyder, not exceeding Five Pints for each Man *per Diem gratis*, and allow to such Non Commission Officers or Private Men the Use of Fire, and the necessary Utensils for dressing and eating their Meat, and shall give Notice of such his Desire to the Commanding Officer, and shall furnish and allow the same accordingly; then and in such case the Non Commission Officers and Private Men so quartered shall provide their own Victuals; and the Officer to whom it belongs to receive, or who shall actually receive the Pay and Subsistence of such Non Commission Officers and Private Men, shall pay the several Sums hereinafter mentioned to be payable out of the Subsistence Money for Diet and Small Beer, to the Non Commission Officers and Private Men aforesaid, and not to the Innholder or other Person on whom such Non Commission Officers and Private Men are quartered; any thing herein contained to the contrary notwithstanding.

Taking Money  
to excuse from  
quartering.

XXXI. Provided always, and be it enacted, That if any Marine Officer shall take, or cause to be taken, or knowingly suffer to be

taken any Money of any Person for excusing the quartering of Officers or Private Men, or any of them, in any House allowed by this Act, every such Officer shall be cashiered, and be incapable of serving in any Military Employment whatsoever.

Punishment.

XXXII. And whereas it may be for the Benefit of the Service, for the Commanding Officer to have Power to exchange the Billets or Quarters of Marines quartered in the same Town or Place; Be it therefore enacted, That the Commanding Officer of Royal Marines, in any Town or Place where such Marine Forces are quartered, shall and he is hereby declared to have Power from time to time to exchange any Marine or Marines quartered in such Town or Place for any other Marine or Marines quartered in the same Town or Place, provided the Number of Men do not exceed the Number at that time billeted on such Houses respectively, where such Men shall be exchanged; and the Constables, Tithingmen, Headboroughs and other Chief Officers and Magistrates of the Cities, Towns and Villages, or other Places, where any of the said Royal Marine Forces shall be quartered, are hereby required to billet such Men so exchanged accordingly.

Commanding Officer may exchange Marines in their Quarters,

and Constables to billet same accordingly.

XXXIII. And be it further enacted, That, from and after the Twenty fifth Day of *March* One thousand eight hundred and thirteen, no Paymaster or other Officer or Person whatsoever, shall receive any Fees, or make any Deductions whatsoever, out of the Pay of any Marine, either Officer or Private Man, in His Majesty's Service; or from their Agents, which shall grow due from and after the said Twenty fifth Day of *March* One thousand eight hundred and thirteen, other than the usual Deductions for Clothing and Twelve pence in the Pound to be disposed of as His Majesty shall think fit, and the One Day's Pay of the Officers now paid to the Paymaster of Widows' Pensions, and such other necessary Deductions as shall from time to time be directed by the said Lord High Admiral, or Three or more of the Commissioners for executing the Office of Lord High Admiral for the time being, by Order in Writing under his or their respective Hand or Hands.

No Paymaster, &c. to make Deductions out of Officers' or Private Men's Pay.

XXXIV. And, that the Quarters both of the said Marine Officers and Private Men, while on Shore as aforesaid, may, during the Continuance of this Act, be duly paid and satisfied, and His Majesty's Duties of Excise better answered, be it enacted, That, from and after the said Twenty fifth Day of *March* One thousand eight hundred and thirteen, every Officer or other Person to whom it belongs to receive, or that shall actually receive the Pay or Subsistence Money, for one or more particular Company or Companies of the said Royal Marine Forces or otherwise, shall immediately upon each Receipt of every particular Sum which shall from time to time be paid, returned, or come to his or their Hands, on Account of Pay or Subsistence, give public Notice thereof to all Persons keeping Inns, or other Places where Officers or Private Men are quartered by virtue of this Act; and shall also appoint the said Innkeepers, and others, to repair to their Quarters at such times as they shall appoint for the Distribution and Payment of the said Pay or Subsistence Money to such Officers or Private Men, which shall be within Four Days at the farthest after the Receipt of the same, as aforesaid; and the said Innkeepers, and others, shall then and there acquaint such Officer or Officers with the Accounts or Debts (if any shall be), between them and the Officers and Private Men so quartered in their respective Houses; which

Officers to give Notice to Innkeepers of Subsistence Money in their Hands

Rates of Sub-  
sistence paid to  
Innkeepers, &c.

Officers not  
giving Notice of  
Subsistence  
Money and pay-  
ing Quarters.

Paymaster to  
satisfy them out  
of Arrears.

In what case  
Paymaster may  
deduct out of  
next Subsistence  
Money.

Officers neglect-  
ing, cashiered

On moving from  
Quarters, Officer  
to make up  
Accounts, and  
give Certificates  
for Money due.  
Paymaster to  
pay Sum certi-  
fied for.

Officers, &c.  
quartered in  
Scotland, as  
Laws in force at  
Union direct,

Accounts the said Officer or Officers is or are hereby required to accept of, and immediately pay the same, before any Part of the said Pay or Subsistence be distributed either to the Officers or Private Men: Provided the said Accounts exceed not, for One Marine Commission Officer under the Degree of a Captain, for such Officer's Diet and Small Beer, *per Diem*, One Shilling; and if such Officer shall have a Horse or Horses, for each such Horse or Horses, for their Hay and Straw, *per Diem*, Six pence; nor for One Private Man's Diet and Small Beer, *per Diem*, Four pence; and if any Officer or Officers as aforesaid, shall not give Notice as aforesaid, and shall not immediately, upon producing such Account stated, satisfy, content and pay the same, upon Complaint and Oath made thereof by any Two Witnesses, at the next Quarter Sessions for the County or City wherein such Quarters were (which Oath the Justices of the Peace at such Sessions are hereby authorized and required to administer), the Paymaster, or Person for the time being authorized to pay the said Royal Marine Forces, is hereby required and authorized (upon Certificate of the said Justices, before whom such Oath was made, of the Sum due upon such Accounts, and the Persons to whom the same is owing), to pay and satisfy the said Sums out of the Arrears due to the said Marine Officer or Officers, upon Penalty that such Paymaster or Person shall forfeit their respective Place or Places of Paymaster or otherwise, and be discharged from holding the same for the future; and in case there shall be no Arrears due to the said Officer or Officers, then the said Paymaster or Person for the time being authorized to pay the said Royal Marine Forces, is hereby authorized and required to deduct the Sums he shall pay, pursuant to the Certificate of the said Justices, out of the next Pay or Subsistence Money of the Company to which such Officer or Officers shall belong; and such Officer or Officers, shall, for such their Offence, or for neglecting to give Notice of the Receipt of such Pay or Subsistence Money as aforesaid, be deemed and taken, and are hereby declared *ipso facto* cashiered.

XXXV. And, where it shall happen that the Subsistence Money due to any Marine Officer or Private Man shall, by Occasion of any Accident, not be paid to such Officer or Private Man, or such Officer or Private Man shall neglect to pay the same, so that Quarters cannot be or are not paid as this Act directs, in every such case, it is hereby further enacted, That every such Officer shall, before his or their Departure out of his or their Quarters, where such Company shall remain for any time whatsoever, make up the Accounts, as this Act directs, with every Person with whom such Company shall have quartered, and sign a Certificate thereof, and give the said Certificate, so by him signed, to the Party to whom such Money is due, with the Name of such Company to which he or they shall belong; to the End the said Certificate may be forthwith transmitted to the proper Paymaster of the Royal Marines, who is hereby required immediately to make Payment thereof to the Person or Persons to whom such Money shall be due, to the End the same may be applied to such Company under Pain as is before in this Act directed for Nonpayment of Quarters.

XXXVI. And be it enacted, That it shall and may be lawful to quarter Officers and Private Men of His Majesty's Royal Marine Forces in Scotland, in such and the like Places and Houses as Officers and Private Men of the Land Forces might have been quartered in  
by

by the Laws in force in *Scotland* at the time of the Union; and that the Possessors of such Houses shall only be liable to furnish the said Marine Officers and Private Men quartered there, as by the said Laws in force at the time of the Union was provided with respect to the Officers and Private Men of the Land Forces; and that no such Marine Officer shall be obliged to pay for his Lodging, where he shall be regularly billeted, except in the Suburbs of *Edinburgh*.

XXXVII. And be it further enacted, That it shall and may be lawful to quarter Officers and Marines in *Ireland* in such and the like Places and Houses as they might have been quartered in, by the Laws in force in *Ireland* at the time of its Union with *Great Britain*, and that the Possessors of such Houses shall only be liable to furnish the said Officers and Marines quartered there, as by the said Laws in force at the time of the said Union was provided; and that if any Person in *Ireland*, liable to have Officers and Marines quartered and billeted on him, shall refuse to receive or victual any such Officer or Marine so quartered and billeted upon him or her as aforesaid, or shall refuse to furnish any such Officer or Marine so quartered or billeted, in such manner as by the said Laws in force in *Ireland* at the time of the said Union was provided, every such Person so refusing shall be subject and liable to all such Penalties as any Person so refusing was liable to, under or by virtue of any Laws in force in *Ireland* at the time of the said Union.

and in *Ireland*  
as Laws in force  
at Union direct

XXXVIII. And be it further enacted, That it shall and may be lawful for any Two or more Justices of the Peace for the County, Town or Place, where any Non Commission Officer or Marine shall be quartered in that Part of *Great Britain* called *England*, in case such Non Commission Officers or Private Marine have either Wife or Child or Children, to be summoned before them, in the Town or Place where such Non Commission Officer or Marine shall be quartered, in order to make Oath of the Place of their last legal Settlement (which Oath the said Justices are hereby empowered to administer); and such Non Commission Officers and Private Marines as aforesaid are 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, to be by him delivered to his Commanding Officer, in order to be produced when required; which attested Copy shall be at any time admitted in Evidence as to such last legal Settlement before any of His Majesty's Justices of the Peace, or at any General or Quarter Session of the Peace: Provided always, that in case any Non Commission Officer or Private Marine shall be again summoned to make Oath as aforesaid, then on such attested Copy of the Oath by him formerly taken being produced by him or by any other Person on his behalf, such Non Commission Officer or Marine shall not be obliged to take any other or further Oath with regard to his legal Settlement, but shall leave a Copy of such attested Copy of Examination if required.

Two Justices  
may summon  
Marines having  
Wife or Chil-  
dren to make  
Oath of last  
Settlements.

XXXIX. And be it further enacted, That, for the better and more regular Provision of Carriages for His Majesty's Royal Marine Forces in their Marches, or for their Arms, Clothes and Accoutrements in *England*, *Wales* and the Town of *Berwick upon Tweed*, all Justices of the Peace, within the several Counties, Ridings, Divisions, Shires, Liberties and Precincts, being duly required thereunto

Justices may or-  
der Constables to  
provide Carriages  
for Marine  
Forces in  
Marches.

thereunto by the said Lord High Admiral, or Three or more of the Commissioners for executing the said Office of Lord High Admiral for the time being, by an Order in Writing under his or their respective Hand or Hands, shall, as often as such Order shall be brought and shewn unto One or more such Justice or Justices, by the Officer or Officers of the Company or Companies of Royal Marines to ordered to march, issue out his or their Warrant or Warrants to the High Constables, or Petty Constables, of the Division, Riding, City, Liberty, Hundred or Precinct, from, through, near or to which such Company or Companies shall be ordered to march, requiring them to make such Provision for Carriages, with able Men to drive the same, as shall be mentioned in the said Warrant, allowing them sufficient time to do the same, that the neighbouring Parts may not always bear the Burthen; and in case sufficient Carriages cannot be provided within any such Riding, City, Liberty, Hundred, Division or Precinct, then the next Justice or Justices of the Peace for the County, Riding or Division, shall upon such Order as aforesaid being brought, or shewn to One or more of them, by any of the Marine Officers aforesaid, issue his or their Warrant or Warrants to the High Constables or Petty Constables of such next County, Riding, Liberty, Division or Precinct for the Purposes aforesaid, to make up such Deficiency; and the aforesaid Officer or Officers, who, by virtue of the aforesaid Warrant or Warrants from such Justice or Justices of the Peace, is or are to demand the Carriage or Carriages therein mentioned of the High Constable or Petty Constable, to whom the Warrant is directed, is and are hereby required at the same time to pay down in Hand to the said Constable or Petty Constable, for the Use of the Person who shall provide such Carriages and Men, the Sum of One Shilling for every Mile any Waggon with Four or more Horses, shall travel; and the Sum of One Shilling for every Mile any Wain with Six Oxen, or Four Oxen with Two Horses, shall travel; and the Sum of Nine pence for every Mile any Waggon with Narrow Wheels, or any Cart with Four Horses respectively, carrying not less than Fifteen hundred Weight, shall travel; the Sum of Six pence for every Mile every Cart or other Carriage, with less than Four Horses, and not carrying Fifteen hundred Weight, shall travel; or any further Sum not exceeding Four pence for every Mile any Waggon with Four or more Horses, or any Wain with Six Oxen, or with Four Oxen and Two Horses, shall travel; and not exceeding Three pence for every Mile any Cart with Four Horses, or carrying not less than Fifteen hundred Weight, shall travel; and not exceeding Two pence for every Mile any Cart or Carriage with less than Four Horses, and not carrying Fifteen hundred Weight, shall travel; according as the same shall be fixed and ordered by the Justices of the Peace for any County or District, assembled at any General Sessions of the Peace for such County or District, the said Justices having regard to the Price of Hay and Oats at the time of fixing such additional Rates, for which respective Sums so received, the said Constable or Petty Constable is hereby required to give a Receipt in Writing to the Person or Persons paying the same; and such Constable or Petty Constable shall order and appoint such Person or Persons having Carriages, within their respective Liberties, as they shall think proper, to provide and furnish such Carriages and Horses

Rates for Carriages.



and Oxen and Men according to the Warrant aforesaid, who are hereby required to provide and furnish the same accordingly; and no Person owning or driving, or causing to be driven, any such Waggon, Wain, Cart or other Carriage, shall be subject to any Penalty or Forfeiture, nor shall any such Waggon, Wain, Cart or other Carriage be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart or other Carriage, or of being drawn by any Number of Horses or Oxen; but it shall be lawful for any Owner of any such Waggon, Wain, Cart or other Carriage, to put any additional Number of Horses or Oxen to those prescribed or paid for under this Act; any thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or any particular Highway or Road, to the contrary notwithstanding; and if any Marine Officer or Officers for the Use of whose Company or Companies the Carriage was provided, shall force and constrain any Waggon, Wain, Cart or Carriage to travel more than One Day's Journey, or shall not discharge the same in due time for their Return Home, or shall suffer any Marine or Servant (except such as are sick), or any Woman, to ride in the Waggon, Wain, Cart or Carriage aforesaid; or shall force any Constable or Petty Constable, by Threatenings or menacing Words, to provide Saddle Horses for themselves or Servants, or shall force Horses from the Owners, by themselves, Servants or Private Men; every such Officer for every such Offence shall forfeit the Sum of Five Pounds, Proof thereof being made upon Oath before Two of His Majesty's Justices of the Peace for the same County or Riding, who are to certify the same to the proper Paymaster of His Majesty's Royal Marine Forces, who is hereby required to pay the aforesaid Sum of Five Pounds, according to Order and Appointment under the Hands and Seals of such Justices of the Peace; and is also hereby empowered to deduct the same out of such Officer's Pay: Provided always, that in cases where the Day's March of the Marines shall be such, either owing to the Distance of Place, State of the Roads, or Season of the Year, as not to admit of the Return of the Carriages on the same Day on which they shall have been impressed, such further Compensation shall be made and paid in like manner to the Owners of the said Carriages as shall be deemed reasonable by the Magistrate who granted the Warrant for impressing them, not exceeding the usual Rate and Hire of such Carriages: Provided also, that every Order of the Justices assembled at any General Sessions of the Peace, fixing a further Sum to be paid for the Hire of Carriages as aforesaid, in Addition to the customary Rates of, One Shilling, Nine pence and Six pence *per* Mile respectively, shall specify the Period for which the same shall be in force, and which shall not in any case exceed Ten Days beyond the General Sessions of the Peace for such County or District next ensuing the Date of such Order.

XL. And be it enacted, That if any High Constable, or Petty Constable, shall wilfully neglect or refuse to execute any such Warrant of the said Justice or Justices of the Peace as shall be directed unto such Constable or Petty Constable, for providing Carriages as aforesaid; or shall demand or receive for the Use of the Owners furnishing such Waggons, Wains, Carts or Carriages, more than the accustomed Rates *per* Mile, of One Shilling, Nine pence, or

Waggons, &c.  
not stopped on account of Weight or Number of Horses.

Officer forcing Waggon to travel more than One Day's Journey, &c.

Penalty.

Further Compensation for Carriages in cases where they cannot return same Day on which impressed. Order of Justices for Payment of additional Rates to specify Period for which it shall be in force.

Constables, &c. Neglecting

or Six pence, according to the Size of the respective Carriages as aforesaid, unless any further Sums, not exceeding the Amount hereinbefore specified, shall have been previously fixed and ordered by the Justices at any General Sessions of the Peace assembled as aforesaid; or if any Person or Persons, appointed by such Constable or Petty Constable, to provide and furnish any Carriage and Man, shall refuse or neglect to provide the same; or any other Person or Persons whatsoever shall wilfully do any Act or Thing whereby the Execution of any such Warrant or Warrants shall be hindered or frustrated, every such Constable, or other Person or Persons so offending, shall, for every such Offence, forfeit any Sum not exceeding Five Pounds, nor less than Forty Shillings, to the Use of the Poor of such Parish or Parishes adjoining to the Parish where any such Offence shall be committed, as shall be fixed upon by the Justice or Justices by whom such Offence shall be enquired of, heard and determined; and all and every such Offence and Offences shall be enquired of, heard and fully determined, by Two 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 Offenders Goods and Chattels, rendering the Overplus (if any) to the Owner.

Penalty.

Distress.

‘ XLI. And whereas in consequence of certain Exemptions from Tolls expressly allowed by several Acts of Parliament for His Majesty's Forces on their March, or on Duty, and for the Horses and Carriages attending them, Doubts have arisen whether in all cases not so exempted, the Officers and Marines, and the Carriages and Horses, Boats, Barges and other Vessels belonging to His Majesty or employed in His Service, and returning therefrom, may not be charged with the Payment of Tolls;’ Therefore, for obviating such Doubts, it is hereby enacted and declared, That all His Majesty's Officers and Marines, and their Horses on Duty, or on their March, and all Carriages and Horses belonging to His Majesty, or employed in His Service, and returning therefrom, and also all Boats, Barges and other Vessels belonging to His Majesty, or employed in His Service, when conveying the Officers, Marines, Servants, Women, Children or other Persons, of or belonging to His Majesty's Royal Marine Forces, or the Arms, Clothes, Accoutrements, Tents, Baggage and other Equipage, of or belonging to His Majesty's Royal Marine Forces on their Marches, or returning therefrom, were and are and shall be exempted from Payment of any Duties and Tolls otherwise demandable by virtue of any Act of Parliament already made, or hereafter to be made, for Persons, Horses, Carriages or Vessels passing Turnpike Roads, Bridges, Rivers, Canals or Locks, unless by such Act it has been or shall be expressly provided that the said Officers, Royal Marines, Carriages, Horses and Vessels, are and shall be liable equally with others to the Duties and Tolls therein authorized to be demanded and taken.

Officers and  
Marines, &c.  
and Carriages  
employed in His  
Majesty's Ser-  
vice, exempted  
from Payment  
of Tolls.

‘ XLII. And whereas the respective Sums of Money by this Act appointed to be paid to the Constables by the Officers demanding such Carriages, may not, in many cases, be sufficient to answer the Charge and Expence of providing the same, whereby the said Constables may be frequently at great Charges over and above what is received by them of the said Officers, to the great Burthen of the Townships in which they are respectively Constables, or else the

Persons

Persons furnishing such Carriages may be grievously oppressed : to prevent which, and that such Overplus Charge may be borne by each County or Riding at the general Charge of such County or Riding ; Be it further enacted, That the Treasurer or Treasurers of each respective County or Riding shall, without Fee or Reward, pay unto such Constable all and every such reasonable Sum or Sums of Money, so by him paid or laid out for such Carriages, over and above what was or ought to have been paid by the Marine Officer requiring such Carriages, out of the public Stock of such County or Riding, according to such Rates, Orders, Rules and Directions, as the said Justices of the Peace, in their Quarter Sessions assembled, within their respective Jurisdictions, shall from time to time, during the Continuance of this Act, make, direct and appoint (which Orders shall be made without Fee or Reward) ; Regard being always had to the Season of the Year, and the Length and Condition of the Roads through which such Carriages are to travel.

Treasurer of County to repay Constables extraordinary Charge.

XLIII. And, in case the said public Stock of the County or Riding be not sufficient (over and above the other Purposes for which it was raised) to satisfy the extraordinary Charge of Carriages before mentioned, it is hereby further enacted, That the said Justices of the Peace, in the General Quarter Sessions, shall have Power from time to time to raise Monies upon the respective Counties or Ridings, in such manner as they now raise Monies for building or repairing County Gaols and Bridges, to satisfy the said extraordinary Charge of Carriages.

Money for that Purpose how raised.

XLIV. Provided always, and be it further enacted, That no Waggon, Wain, Cart or Carriage, impressed by Authority of this Act, shall be liable or obliged, by virtue of this Act, to carry above Twenty Hundred Weight ; any thing in this Act contained to the contrary notwithstanding.

What Weight Waggon, &c. liable to carry.

XLV. And be it further enacted, That the Carriages for the Service of the Royal Marine Forces quartered or marched in *Scotland*, shall be provided in like manner and at the Rates, and the Furnisher of such Carriages shall be paid, as was directed by the Law in force in *Scotland* at the time of the Union, with regard to the furnishing Carriages for Land Forces.

Carriages in Scotland.

XLVI. And be it further enacted, That the Carriages for the Service of the Royal Marine Forces from time to time quartered or marching in *Ireland*, shall be provided in like manner and at the Rates, and the Furnisher of such Carriages shall be paid as was directed by the Laws in force in *Ireland* at the time of its Union with *Great Britain*.

*Ireland*, how provided.

XLVII. And, be it further enacted, That if any Officer Military or Civil, by this Act authorized to quarter Soldiers in any Houses hereby appointed for that Purpose, shall, at any time during the Continuance of this Act, quarter any of the Wives, Children, Men or Maid Servants, of any Officer or Marine, in any such Houses against the Consent of the Owners ; the Party offending, if an Officer of the Royal Marines, shall, upon Complaint and Proof thereof made to the Commissioners for executing the Office of Lord High Admiral, or Judge Advocate, be *ipso facto* cashiered ; and if a Constable, Tithingman or other Civil Officer, he shall forfeit to the Party aggrieved Twenty Shillings, upon Complaint and Proof thereof made to the next Justice of the Peace ; to be levied by Warrant of

Marines Wives, &c. not quartered without Consent.

Penalty

of such Justice, by Distress and Sale of his Goods, rendering the Overplus to the Party, after deducting reasonable Charges in taking the same.

Officers or Marines destroying Game.

XLVIII. And, for the better Preservation of the Game in or near such Place where any Officers or Marines shall at any time be quartered, be it enacted, That if, from and after the said Twenty fifth Day of *March* One thousand eight hundred and thirteen, any Officer or Marine shall, without Leave of the Lord of the Manor, under his Hand and Seal first had and obtained, take, kill or destroy any Hare, Coney, Pheasant, Partridge, Pigeon, or any other Sort of Fowls, Poultry or Fish, or His Majesty's Game, within the Kingdom of *Great Britain*, and upon Complaint thereof shall be, upon Oath of One or more credible Witness or Witnesses, convicted before any Justice or Justices of the Peace, who is and are hereby empowered and authorized to hear and determine the same; that is to say, every Officer so offending shall, for every such Offence, forfeit the Sum of Five Pounds, to be distributed among the Poor of the Place where such Offence shall be committed; and every Officer commanding in Chief upon the Place, for every such Offence committed by any Marine under his Command, shall forfeit the Sum of Twenty Shillings, to be paid and distributed in manner aforesaid; and if upon Conviction made by the Justices of the Peace, and Demand thereof also made by the Constable or Overseers of the Poor, such Officer shall refuse or neglect, and not within Two Days pay the said respective Penalties, such Officer so refusing or neglecting shall forfeit, and he is hereby declared to have forfeited his Commission, and his Commission is hereby declared to be null and void.

Penalty, &c.

Constables, &c. may apprehend Deserters, and carry them before a Justice;

XLIX. And whereas several Marines, who being duly entered, may afterwards desert and be found wandering, or otherwise absenting themselves illegally from His Majesty's Service; it is hereby further enacted, That it shall and may be lawful to and for the Constable, Headborough or Tithingman, of the Town or Place where any Person who may reasonably be suspected to be such a Deserter shall be found, or for any Marine Officer or Marine to apprehend or cause such suspected Person to be apprehended, and to bring or cause him 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 suspected Person; and if, by his Confession, or the Testimony of One or more Witness or Witnesses upon Oath, or by Knowledge of such Justice of the Peace, it shall appear or be found that such suspected Person is a Marine duly entered, and ought to be with the Company to which he belongs, whether such Company shall be employed on board any of His Majesty's Ships or Vessels, or quartered on Shore, or employed on board any Transport Ship, or Merchant Ship or Vessel, 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 public 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 that such Person may be proceeded against according to Law; and the Keeper of every Gaol,

and transmit Account to Secretary of Admiralty.

**Gaol, House of Correction or Prison, shall receive the full Sub-  
sistence of such Defserter, during the time he shall continue in his  
Custody, for the Maintenance of such Defserter; but shall not be  
entitled to any Fee or Reward on account of the Imprisonment of  
any such Defserter; any Law, Usage or Custom to the contrary not-  
withstanding.**

Gaol Keeper to  
receive Sub-  
sistence of De-  
ferrers.

**L. And, for the better Encouragement of any Person or Persons  
to secure or apprehend such Defserter, be it further enacted, 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 in *Great Britain*, where such Defserter shall be appre-  
hended, or in *Ireland* to the Collector or Collectors of His Ma-  
jesty's Revenue in the District where such Defserter shall be appre-  
hended, for paying out of the Land Tax Money or Revenue arisen  
or to arise in the Year One thousand eight hundred and thirteen,  
into the Hands of such Person or Persons who shall apprehend, or  
cause to be apprehended, any such Defserter from His Majesty's  
Service, the Sum of Three Pounds, for every such Defserter that  
shall be so apprehended and committed; which Sum of Three  
Pounds shall be satisfied by such Collector or Collectors to whom  
such Warrant shall be directed, and allowed upon his or their Ac-  
count.**

Reward for tak-  
ing up Deferrers.

**LI. And be it further enacted, That any Person who shall volun-  
tarily surrender or deliver himself up as a Defserter from His Ma-  
jesty's Royal Marine Forces, or who, upon being apprehended for  
Desertion, or any other Offence, shall, in the Presence of the Magis-  
trate, confess himself to be a Defserter from such Forces, shall be  
deemed to have been duly inlisted, and to be a Marine, and shall  
be liable to serve, whether such Person shall have been ever actually  
inlisted as a Marine or not.**

Confessing them-  
selves Deferrers  
deemed duly  
inlisted.

**LII. And be it further enacted, That the Receipts taken from  
the Person or Persons who shall have apprehended or cause to be  
apprehended any such Defserter or Deferrers as aforesaid, together with  
Warrants in Writing of the Justice or Justices of the Peace to the  
Collector or Collectors of the Land Tax, or in *Ireland* to the Col-  
lector or Collectors of His Majesty's Revenue for Payment of the  
Sums therein mentioned, being produced, transmitted to or delivered  
at the Pay Office of His Majesty's Navy, if the Defserter belongs  
to one of His Majesty's Ships or Vessels, or at the Pay Office of  
His Majesty's Royal Marine Forces, if the Marine be employed on  
Shore or in a Transport or Merchant Ship or Vessel, by the Re-  
ceiver General of the Land Tax in that Part of the United King-  
dom of *Great Britain* and *Ireland* called *Great Britain*, or by the  
Commissioners of the Revenue in *Ireland*, shall be immediately paid  
by the Treasurer of the Navy or Paymaster of the said Royal Marine  
Forces or other proper Officer in that Behalf to the said Receiver  
General or Commissioners of the Revenue, as the case may be, or  
to their respective Order, in Re-imburement of such Sum or Sums  
of Money to be paid by the said Collectors as aforesaid.**

Rewards for  
taking Deferrers  
repaid by proper  
Officer.

**LIII. And be it further enacted, That the said Treasurer of the  
Navy, Paymaster of Royal Marines, or other proper Officer, shall  
immediately, or as soon as conveniently may be after such Payment  
and Re-imburement to the said Receiver General or Commissioners  
of the Revenue as aforesaid, charge or cause to be charged against  
the**

Rewards a  
Charge on Pay  
and Subsistence  
of Deferrers.

the Pay and Subsistence of every such Marine, for whose Apprehension such Reward or Sum of Three Pounds shall have been paid as aforesaid, the Amount of such Reward or Rewards respectively, and which Amount shall and may be stopped and retained out of such Pay and Subsistence accordingly; any thing herein contained to the contrary thereof in any wise notwithstanding.

Concealing  
Deserters, &c.

Penalty.

LIV. Provided always, and be it enacted, That if any Person shall harbour, conceal or assist any Deserter from His Majesty's Royal Marine Service, knowing him to be such, the Person so offending shall forfeit for every such Offence the Sum of Twenty Pounds; and upon Conviction, by the Oath of One or more credible Witnesses or Witnessess, before any of His Majesty's Justices of the Peace, the said Penalty of Twenty Pounds shall be levied, by Warrant under the Hand of such Justice 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, and the other Moiety to be paid to the Officer to whom any such Deserter did belong; and in case any such Offender, who shall be convicted as aforesaid of harbouring, concealing or assisting any such Deserter, shall not have sufficient Goods and Chattels whereon Distress may be made, to the Value of the Penalty awarded against him or her for such Offence, or shall not pay such Penalty within Four Days after such Conviction, then and in such case such Justice of the Peace shall and may, by Warrant under his Hand and Seal, commit such Offender to the Common Gaol, there to remain without Bail or Mainprize, for the Space of Six Months.

Receiving Arms  
Clothes, &c. of  
Deserters, &c.

Penalty.

LV. And be it further enacted, That if any Person shall knowingly detain, buy or exchange, or otherwise receive any Arms, Clothes, Caps or other Furniture belonging to The King, from any Marine or Marine Deserter, or any other Person, upon any Account or Pretence whatsoever, or any such Articles belonging to any Marine or Marine Deserter, as are generally deemed Regimental Necessaries, according to the Custom of the Royal Marine Corps (being provided for the Marine and paid for by the Deductions out of his Pay), or cause the Colour of such Clothes to be changed, every such Person so offending shall forfeit for every such Offence the Sum of Five Pounds; and upon Conviction, by the Oath of One or more credible Witness or Witnessess, before any One or more of His Majesty's Justices of the Peace, the said Penalty 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 thereof to be paid to the Informer, and the other Moiety to be paid to the Officer to whom any such Marine did or doth belong; and in case any such Offender who shall be convicted as aforesaid, of having knowingly received any Arms, Clothes, Caps or other Furniture belonging to The King, or any such Articles as are generally deemed Regimental Necessaries, or of having caused the Colour of such Clothes to be changed, contrary to the Intent of this Act, shall not have sufficient Goods and Chattels whereon Distress may be made to the Value of the Penalty recovered against him or her for such Offence, or shall not pay such Penalty within Four Days after such Conviction, then and in such case such Justice or Justices of the Peace shall and may, by Warrant under his or their Hand and Seal or Hands and Seals, either commit such Offender to the Common Gaol, there to remain without Bail or Mainprize, for

Imprisonment,  
&c.

the Space of Three Months, or such Offender cause to be publicly or privately whipped, at the Discretion of such Justice or Justices.

LVI. And be it further enacted, That if any Person or Persons shall, in any Part of His Majesty's Dominions, directly or indirectly, persuade or procure any Marine in the Service of His Majesty, his Heirs or Successors, to desert or leave such Service as aforesaid, every such Person or Persons so offending as aforesaid, and being thereof lawfully convicted, shall, for every such Offence, forfeit to His Majesty, his Heirs or Successors, or to any other Person or Persons who shall sue for the same, the Sum of One hundred Pounds; and if it shall happen that any such Offender so convicted as aforesaid hath not any Goods and Chattels, Lands or Tenements, to the Value of One hundred Pounds, to pay and satisfy the same, or if from the Circumstances and Heinousness of the Crime it shall appear to the Court before which the said Conviction shall be made as aforesaid, that any such Forfeiture is not a sufficient Punishment for such Offence, it shall be lawful for such Court to commit any such Offender to Prison, there to remain for any time not exceeding Twelve Months, without Bail or Mainprize, and also to stand in the Pillory for the Space of One Hour, in some Market Town next adjoining to the Place where the Offence was committed in open Market there, or in the Market Town itself where the said Offence was committed.

LVII. And be it further enacted, That all Penalties by this Act imposed for persuading or procuring any Marine to desert within that Part of Great Britain called England, may and shall be sued for and be recoverable in any of His Majesty's Courts of Record at Westminster; and for such like Offences as shall be committed in that Part of Great Britain called Scotland, shall be sued for and recoverable in His Majesty's Court of Exchequer in Scotland; and for such like Offences as shall be committed in Ireland, shall be sued for and recoverable in any of His Majesty's Courts of Record in Dublin; and for any such like Offences as shall be committed in any of the Dominions of His Majesty, shall and may be sued for and recoverable in any Court of Record of His Majesty, in the Place where the Offence shall have been committed; for such like Offence as shall have been committed within the Island of Guernsey, the same shall be sued for and be recoverable in the Royal Court of Guernsey; and for such Offences as shall be committed within the Island of Jersey, the same shall be sued for and recoverable in the Royal Court of Jersey; any thing contained in an Act passed in the First Year of King George the First, to the contrary thereof in any wise notwithstanding.

LVIII. And be it further enacted, That for such of the said Offences as shall be committed within that Part of the United Kingdom called Ireland, the Penalties herein enacted shall be sued for and be recoverable in any of His Majesty's Courts of Record in Dublin; and for such of the said Offences as shall be committed within the Isles of Alderney and Sark, the Penalties herein enacted shall be sued for and be recoverable in the Royal Court of Guernsey; and for such of the said Offences as shall be committed within the Isle of Man, the Penalties herein enacted shall be sued for and be recoverable in any of the Courts of Record in the said Island, or in any of His Majesty's Courts of Record at Westminster.

LIX. And be it further enacted, That any Person who shall voluntarily surrender or deliver himself up as a Deserter from His Majesty's

Persuading Marines to desert.

Penalty.

Imprisonment.

Penalties how recovered.

1 G. 1. Stat. 2. c. 47.

Penalties for Offences committed in Ireland, &c. how sued for.

Deserters surrendering deemed indicted.

jeſty's Royal Marine Forces; ſhall be deemed to have been duly enliſted and to be a Marine, and ſhall be liable to ſerve in His Ma- jeſty's Royal Marine Forces, whether ſuch Perſon ſhall have been ever actually enliſted as a Marine or not.

Offences againſt former Acts enquired of and puniſhed as under this Act.

LX. And, in order to prevent all Doubts which may ariſe in relation to puniſhing Offences committed againſt former Acts of Parliament made for the Regulation of the Royal Marine Forces while on Shore, be it enacted, That all Crimes and Offences which have been committed againſt any of the former Acts in that behalf; ſhall and may, during the Continuance of this preſent Act, be enquired of, heard, tried, determined, adjudged and puniſhed, before and by the like Courts, Perſons, Powers, Authorities, Ways, Means and Methods, as the like Crimes and Offences committed againſt this preſent Act, may be enquired of, heard, tried, determined, adjudged and puniſhed.

Not tried for Offences committed Three Years before Warrant iſſued except for Deſertion.

LXI. Provided always, That no Perſon ſhall be liable to be tried or puniſhed for any Offence committed againſt any of the ſaid former Acts, which ſhall appear to have been committed more than Three Years before the iſſuing of the Commiſſion or Warrant for ſuch Trial; except only for the Offence of Deſertion.

No Volunteer liable to priſons unleſs for ſome Criminal Matter, or for Debt of 20l.

LXII. And, to prevent, as far as may be, any unjuſt or fraudulent Arreſts that may be made upon Marines, whereby His Maſteſty and the Public may be deprived of their Service, it is hereby further enacted, That no Perſon whatſoever who is entered, or ſhall enter himſelf as a Volunteer in His Maſteſty's Service as a Marine, during the Continuance of this Act, ſhall be liable to be taken out of His Maſteſty's Service by any Proceſs or Execution whatſoever, other than for ſome Criminal Matter, unleſs for a real Debt, or other juſt Cauſe of Action, and unleſs before the taking out of ſuch Proceſs or Execution (not being for a Criminal Matter), the Plaintiff or Plaintiffs therein, or ſome other Perſon or Perſons on his or their Behalf, ſhall make Affidavit before One or more Judge or Judges of the Court of Record, or other Court, out of which ſuch Proceſs or Execution ſhall iſſue; or before ſome Perſon authorized to take Affidavits in ſuch Courts, that to his or their Knowledge the original Sum juſtly due and owing to the Plaintiff or Plaintiffs from the Defendant or Defendants, in the Action or Cauſe of Action on which ſuch Proceſs ſhall iſſue, or the original Debt for which ſuch Execution ſhall be iſſued out, amounts to the Value of Twenty Pounds at leaſt, over and above all Coſts of Suit in the ſame Action, or in any other Action on which the ſame ſhall be grounded; a Memorandum of which Oath ſhall be marked on the Back of ſuch Proceſs or Writ, for which Memorandum or Oath no Fee ſhall be taken; and if any Perſon ſhall nevertheless be arreſted contrary to the Intent of this Act, it ſhall and may be lawful for One or more Judge or Judges of ſuch Court, upon Complaint thereof made by the Party himſelf, or by any his ſuperior Officer, to examine into the ſame by the Oath of the Parties or otherwiſe, and by Warrant under his or their Hands and Seals, to diſcharge ſuch Marine ſo arreſted contrary to the Intent of this Act, without paying any Fee or Fees, upon due Proof made before him or them that ſuch Marine ſo arreſted was legally liſted as a Marine in His Maſteſty's Service, and arreſted contrary to the Intent of this Act; and alſo to award to the Party ſo complaining ſuch Coſts as ſuch Judge or Judges ſhall think reaſonable, for the Recovery

Oath of debt made before a Judge;

Memorandum thereof marked on Back of Proceſs; otherwiſe Priſoner diſcharged with Coſts.



whereof he shall have the like Remedy that the Person who takes out the said Execution might have had for his Cofts, or the Plaintiff in the like Action might have had for the Recovery of his Cofts, in case Judgment had been given for him, with Cofts, againft the Defendant in the said Action.

LXIII. And, to the end that honest Creditors, who aim only at the Recovery of their juft Debts due to them from Perfons entered as Marines in His Majesty's Service, may not be hindered from fuing for the fame, but on the contrary may be affifted and forwarded in their Suits; and inftead of an Arrest, which may at once hurt the Service, and occasion a great Expence and Delay to themselves, may be enabled to proceed in a more fpeedy and cheap Method, be it further enacted, That it shall and may be lawful to and for any Plaintiff or Plaintiffs, upon Notice firft given in Writing of the Cause of Action to fuch Person or Perfons fo entered, or left at his or their Place of Residence before fuch entering, to file a Common Appearance in any Action to be brought for or upon Account of any Debt whatsoever, fo as to entitle fuch Plaintiff to proceed therein to Judgment and Outlawry, and to have an Execution thereupon, other than and againft the Body or Bodies of him or them fo entered as aforefaid; this Act, or any thing herein, or any former Law or Statute to the contrary notwithstanding.

Plaintiff giving Notice may file a Common Appearance,

and proceed to Judgment and Execution.

LXIV. And be it further enacted, That, from the paffing of this Act, no Marine, being arrested or confined for Debt in any Prison, Gaol or other Place, shall be entitled to any Part of his Pay from the Day of fuch Arrest or Confinement until the Day of his Return to the Regiment or Company to which he shall belong.

Confined for Debt not to receive Pay.

LXV. And be it further enacted, That every Gaoler, to whom any Notice shall have been given that any Person in his Custody for any Offence is a Marine, and liable to ferve His Majesty, on the Expiration of his Imprifonment, shall give One Month's Notice to the Secretary of the Admiralty before the Day on which the Imprifonment of fuch Person will expire, according to his Commitment or Sentence of the Period of Expiration of fuch Imprifonment.

Notice to Secretary of Admiralty of Expiration of Imprifonment.

LXVI. And be it further enacted, That if any High Conftable, Conftable, Beadle or other Officer or Person whatsoever, who, by virtue or colour of this Act, shall quarter or billet, or be employed in quartering or billeting any Marine Officers or Private Men, shall neglect or refufe for the Space of Two Hours to quarter or billet fuch Officers or Marines when thereunto required, in fuch manner as is by this Act directed, provided fufficient Notice be given before the Arrival of fuch Forces; or shall receive, demand, contract or agree for any Sum or Sums of Money, or any Reward whatsoever, for or on account of excufing, or in order to excufe any Person or Perfons whatsoever, from quartering or receiving into his, her or their Houfe or Houfes, any fuch Officer or Marine; or in cafe any Victualler, or any other Person liable by this Act to have any Officer or Marine billeted or quartered on him or her, shall refufe to receive or victual any fuch Officer or Marine fo quartered or billeted upon him or her as aforefaid; or shall refufe to furnifh or allow, according to the Directions of this Act, the feveral Things hereinbefore refpectively directed to be furnifhed or allowed to Non Commiffioned Officers or Marines fo quartered or billeted on him or her, as aforefaid, at the Rate hereinbefore mentioned, and shall be thereof convicted, before

Conftables, &c. neglecting to quarter Marines,

or taking Money to excufe any Person from quartering;

Victuallers refufing to receive Marines.

Penalty.

any One or more Justice or Justices of the Peace of the County, City or Liberty, within which such Offence shall be committed, either by his own Confession, or by the Oath of One or more credible Witnesses or Witnesses (which Oath the said Justice or Justices is and are hereby empowered to administer), every such High Constable, Constable, Beadle or other Officer or Person so offending, shall forfeit for every such Offence, the Sum of Five Pounds, or any Sum not exceeding Five Pounds nor less than Forty Shillings (as the said Justice or Justices before whom the Matter shall be heard, shall in his or their Discretion think fit); to be levied by Distress and Sale of the Goods of the Person offending, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices before whom such Offender shall be convicted, or of One or more of them, to be directed to any other Constable within the County, City or Liberty, or to any of the Overseers of the Poor of the Parish where the Offender shall dwell; and the said Sum of Five Pounds, or the said Sum not exceeding Five Pounds nor less than Forty Shillings, when levied, to be paid to the Overseers of the Poor of the Parish where the Offence shall be committed, or to some One of them, for the Use of the Poor of such Parish.

Justices may order Constables to give an Account of Number of Officers and Private Men and where quartered.

LXVII. And, for the better preventing Abuses in quartering or billeting the Royal Marines in pursuance of this Act, be it further enacted, That it shall and may be lawful to and for any One or more Justice or Justices of the Peace within their respective Counties, Cities or Liberties, by Warrant under his or their Hand and Seal, or Hands and Seals, at any time or times during the Continuance of this Act, to require and command any High Constable, Constable, Beadle or other Officer who shall quarter or billet any Royal Marines in pursuance of this Act, to give an Account in Writing unto the said Justice or Justices requiring the same, of the Number of Officers and Private Men who shall be quartered or billeted by them, and also the Names of the Housekeepers or Persons upon whom every such Officer or Private Man shall be quartered or billeted, together with an Account of the Street or Place where every such Housekeeper dwells, and of the Signs (if any) belonging to their Houses, to the end it may appear to the said Justice or Justices where such Officers and Private Men are quartered or billeted, and that he or they may thereby be the better enabled to prevent or punish all Abuses in the quartering or billeting of them.

Persons hastily inlisting themselves.

LXVIII. Provided nevertheless, and it is hereby declared, That, from and after the Twenty fifth Day of *March* One thousand eight hundred and thirteen, when and as often as any Person or Persons shall be inlisted as a Marine or Marines in His Majesty's Service, he and they shall, within Four Days, but not sooner than Twenty four Hours, after such Inlisting respectively, be carried or go with some Officer, Non Commissioned Officer or Marine belonging to the Recruiting Party by which he shall be inlisted, or with the Person employed on the Recruiting Service with whom he shall have inlisted, before some Justice of the Peace of any County, Riding, City or Place, or Chief Magistrate of any City or Town Corporate, residing in or being next to or in the Vicinity of the Place where such Person or Persons shall have been inlisted, and not being an Officer of Royal Marines, and before such Justice or Chief Magistrate he or they shall be at Liberty to declare his or their Dissent to such Inlisting; and

upon such Declaration, and returning the Inlisted Money, and also each Person so dissenting paying the Sum of Twenty Shillings for the Charges expended or laid out upon him, such Person or Persons so inlisted shall be forthwith discharged and set at Liberty, in the Presence of such Justice or Chief Magistrate; but if such Person or Persons shall refuse or neglect, within the Space of Twenty four Hours, to return and pay such Money as aforesaid, he or they shall be deemed and taken to be inlisted, as if he or they had given his or their Assent thereto before the said Justice or Chief Magistrate; and if such Person or Persons shall declare his or their having voluntarily inlisted himself or themselves, then such Justice or Chief Magistrate shall, and he is hereby required forthwith to certify under his Hand, that such Person or Persons is or are duly inlisted, setting forth the Place of the Birth, Age and Calling of him or them respectively (if known), and that the Second and Third Sections of the Articles of War, for the better Government of His Majesty's Royal Marine Forces while on Shore, were read to him or them, and that he or they had taken the Oath of Fidelity mentioned in the Twelfth Section of the said Articles of War, and also the Oath mentioned in the Schedule to this Act annexed, marked (A.); and if any such Person or Persons so to be certified as duly inlisted shall refuse to take the said Oath of Fidelity before the said Justice or Chief Magistrate, it shall and may be lawful for such Officer, from whom he has received such Money as aforesaid, to detain or confine such Person or Persons until he or they shall take the Oath before required; and every Officer of Royal Marines that shall act contrary hereto or offend herein, upon Proof thereof, upon Oath made by Two Witnesses, before a General Court Martial to be thereupon called, shall, for such Offence, be forthwith cashiered and displaced from such his Office, and shall be thereby utterly disabled to have or hold any Civil or Military Office or Employment within this Kingdom, or in His Majesty's Service: Provided always, that every Non Commissioned Officer or Private Marine who shall inlist any Recruit, shall, at the time of such inlisting, inquire the Christian and Surname, and Place of Abode of such Recruit, and either take the same down in Writing or give the same to the Non Commissioned Officer commanding the Recruiting Party, to be so taken down: Provided also, that it shall be lawful for any Justice of the Peace to discharge any Person who shall have hastily inlisted, and who shall apply to him to declare his Dissent within such Four Days as aforesaid, upon Payment of the Sum of Money required to be paid by any Recruit declaring his Dissent under this Act, notwithstanding no Officer, Non Commissioned Officer or Private Marine belonging to the Recruiting Party shall be with the Recruit, if it shall appear to such Magistrate upon the Examination of such Recruit, or of any other Person, that the Recruiting Party have left the Place where such Recruit was inlisted, or that such Recruit could not procure any Non Commissioned Officer belonging to such Party to go with such Recruit before the Justice of the Peace; and the Sum paid by such Recruit upon his Discharge, shall be kept by the Justice of the Peace and paid when demanded to any Person belonging to the Recruiting Party, entitled thereto, demanding the same: Provided always, that in every case wherein any Person shall have received Inlisting Money, and shall have absconded, or have absented himself

Deemed inlisted  
in what case.

Certificate of  
Justice.

Officers of Ma-  
rines acting con-  
trary.

Punishment.

Non Commis-  
sioned Officers  
enlisting Men to  
take down  
Names of Men,

Discharge.

Provido.

himself from the Party as aforesaid, so that it shall not be possible immediately to apprehend him, and bring him before a Magistrate, the Officer or Non Commissioned Officer commanding the Party, shall produce to the Magistrate before whom the Recruit would regularly have been brought for Attestation, a Certificate of the Name and Place of Residence of such Person, and the Magistrate to whom the Certificate shall be produced, shall, after satisfying himself that the Person who had absconded cannot be found, and apprehended, transmit a Duplicate thereof to the Lords of the Admiralty or their Secretary, in order that in the Event of such Person being afterwards apprehended and reported as a Deserter, the Facts of his having received Inlisting Money and having absconded may be ascertained before he be finally adjudged to be a Deserter as having been duly inlisted.

Receiving Inlisting Money absconding, or refusing to go before a Magistrate, deemed inlisted.

LXIX. And be it further enacted, That if any Person or Persons shall receive the Inlisting Money from any Officer (knowing it to be such); and shall abscond or refuse to go before such Justice or Chief Magistrate, or if any Person having received any such Inlisting Money as aforesaid, shall thereafter absent himself from the Recruiting Party with which he inlisted, or Person with whom he inlisted, and shall not voluntarily return to such Recruiting Party or Person inlisting him, to go before some Justice of the Peace or Magistrate under the Provisions of this Act, within such Period of Four Days as aforesaid, such Person shall be deemed to be inlisted, and a Marine in His Majesty's Service, as fully to all Intents and Purposes as if he had been duly attested, and may be apprehended and punished as a Deserter, or for being absent without Leave under any Articles of War made for Punishment of Mutiny and Desertion; nor shall any such Person who shall not have remained with, or who shall not have returned to such Recruiting Party or Person inlisting him as aforesaid, be entitled to be discharged or be discharged by any Justice of the Peace or Magistrate after the Expiration of such Four Days as aforesaid, unless it shall be proved to the Satisfaction of such Justice of the Peace that the true Name and Residence of the Person inlisted was disclosed and known to the Recruiting Party, and that no Notice was given to the Person inlisted or left at his last usual Place of Abode of his having so inlisted.

Apprentices taking Oath mentioned in Schedule (A) liable to be imprisoned, &c.

LXX. And be it further enacted, That if any Person duly bound as an Apprentice shall inlist as a Royal Marine in His Majesty's Service, and shall take the Oath mentioned in the Schedule to this Act annexed marked (A), every such Person so offending, and being thereof duly convicted, shall be and is hereby declared to be subject and liable to be imprisoned in any Gaol or House of Correction, and kept to hard Labour for Two Years, and may be indicted and punished for obtaining Money under false Pretences, and shall, after the Expiration of his Apprenticeship, whether such Person shall have been so convicted and punished or not, be liable to serve as a Marine; and if, on the Expiration of his Apprenticeship, he shall not deliver himself to some Officer authorized to receive Recruits, may be taken as a Deserter from His Majesty's Royal Marine Forces.

Master claiming Apprentices to take Oath mentioned in Schedule (B) &c.

LXXI. And be it further enacted, That no Master shall be entitled to claim any Apprentice who shall, after the passing of this Act, inlist as a Royal Marine in His Majesty's Service, unless such Apprentice shall have been bound to him in *England* for the full Term of Seven Years, not having been above the Age of Fourteen

when

when so bound, and if in *Ireland*, for the full Term of Five Years at the least, not having been above the Age of Sixteen when so bound, and unless such Master shall, within One Calendar Month after such Apprentice shall have absconded, or left his Service, go before some Justice of the Peace or Magistrate, and before such Justice of the Peace or Magistrate take the Oath mentioned in the Schedule to this Act annexed, marked (B), and produce the Certificate of such Justice of the Peace or Magistrate of his having taken such Oath, which Certificate such Justice of the Peace or Magistrate is hereby required to give in the Form in the Schedule to this Act annexed marked (C).

LXXII. And whereas it may be expedient, in certain cases, particularly where a sufficient Number of Marine Officers cannot be conveniently assembled, or in Matters wherein any of His Majesty's Land Forces may be interested, that Officers of the Land Forces should be associated with the Royal Marine Officers for the Purpose of holding Courts Martial; Be it enacted and declared, That when and as often as it shall be necessary, it shall and may be lawful for Officers of the Royal Marine and Land Forces to sit in Conjunction upon Courts Martial, and to proceed in the Trial of any Marine Officer or Private Man, in like manner, to all Intents and Purposes, as if such Courts Martial were composed of Marine Officers only; and the Officers of the Marine and Land Forces are in such cases to take Rank according to the Seniority of their Commissions in either Service.

Officers of  
Marine and  
Land Forces  
sitting in Con-  
junction upon  
Courts Martial.  
Rank.

LXXIII. Provided always, and it is hereby declared, That all His Majesty's Royal Marine Forces, as well Officers as Private Men, shall, from time to time, during their being respectively borne as Part of the Complement of any of His Majesty's Ships or Vessels, or as Supernumeraries on board the same, be subject or liable, in like manner, in all respects, as any Officers or Seamen employed in His Majesty's Sea Service are subject and liable to be governed, and proceeded against, and punished, for Offences committed by them during the time they shall be borne as Part of the Complement of such Ships or Vessels, or as Supernumeraries on board the same, according to the Purport, Tenor, Effect and true Intent and Meaning of an Act of Parliament, made in the Twenty second Year of the Reign of His late Majesty King George the Second, intituled *An Act for amending, explaining and reducing into One Act of Parliament the Laws relating to the Government of His Majesty's Ships, Vessels and Forces by Sea*; this present Act or any thing herein contained notwithstanding.

Marine Forces  
being borne as  
Part of Com-  
plement of any  
Ships of War,  
liable to Rules of  
22 G. 2. c. 33.

LXXIV. And be it further enacted, That every Commission Officer, Storekeeper or Commissary, or Deputy or Assistant Commissary, or other Person employed in the Commissariat Department, or in any manner in the Care or Distribution of any Money, Provisions, Forage or Stores, belonging to His Majesty's Royal Marine Forces, or for their Use, that shall embezzle or fraudulently misapply, or cause to be embezzled or fraudulently misapplied, or shall knowingly or wilfully permit or suffer any Money, Provisions, Forage, Arms, Clothing, Ammunition or other Military or Royal Marine Stores, to be embezzled or fraudulently misapplied, or to be spoiled or damaged, may be tried for the same by and before a General Court Martial, and it shall be lawful for such Court Martial to adjudge any such Person to be transported as a Felon for Life, or for any certain Term of Years,

Employed in  
Commissariat  
Department em-  
bezzling Stores  
tried by Courts  
Martial, &c.

Penalty.

or to suffer such Punishment of Pillory, Fine, Imprisonment, Dismissal from His Majesty's Service, and be incapable of serving His Majesty in any Office, Civil or Military, as any such Court shall think fit, according to the Nature and Degree of the Offence, or that such Person shall forfeit Two hundred Pounds, and that such Person shall, in Addition to any other Punishment, make good, at his own Expence, the Loss and Damage thereby sustained, to be ascertained by such Court Martial; which shall have Power to seize the Goods and Chattels of the Person so offending, and sell them for the Payment of the said Two hundred Pounds, and such Damage; and if sufficient Goods and Chattels cannot be found and seized, then the Person so offending shall be committed to Prison, or the Common Gaol, there to remain (in Addition to any other Punishment or Imprisonment) for Six Months, without Bail or Mainprize, and † until he shall pay such Deficiency; and after the said Sum shall be recovered and levied, the same shall be applied and disposed of as His Majesty shall direct and appoint.

Imprisonment.

† Sic.

Continuance of Act.

LXXXV. And be it further enacted, That this Act and every thing herein contained shall be and continue in force within *Great Britain*, from the said Twenty fifth of *March* in the Year of Our Lord One thousand eight hundred and thirteen, until the Twenty fifth Day of *March* in the Year of Our Lord One thousand eight hundred and fourteen; and shall be and continue in force within *Ireland*, from the First Day of *April* One thousand eight hundred and thirteen, until the First Day of *April* One thousand eight hundred and fourteen; and shall be and continue in force within the Garrison of *Gibraltar*, and in *Spain* or *Portugal*, from the Twenty fifth Day of *March* One thousand eight hundred and thirteen, until the Twenty fifth Day of *May* in the Year of Our Lord One thousand eight hundred and fourteen; and shall be and continue in force in all other Parts of *Europe* where Royal Marine Forces may be serving, and in the *West Indies* and *North America* and *Cape of Good Hope*, from the Twenty fourth Day of *March* One thousand eight hundred and thirteen, to the Twenty fifth Day of *July* One thousand eight hundred and fourteen; and shall be and continue in force in all other Places from the Twenty fifth Day of *March* One thousand eight hundred and thirteen, to the Twenty fifth Day of *September* One thousand eight hundred and fourteen; and that this Act so far as relates to the Allowances to be made for the quartering of Royal Marines, and providing for their Horses, may be altered and varied by any Act or Acts to be made in this present Session of Parliament.

Act altered, &amp;c.

## SCHEDULES to which this Act refers.

## SCHEDULE (A.)

*Form of Oath.*

I do make Oath, That I am by Trade and, to the best of my Knowledge and Belief, was born in the Parish of \_\_\_\_\_ in the County of \_\_\_\_\_ and that I have no Rupture, nor ever was troubled with Fits, and am no ways disabled by Lameness or otherwise, but have the perfect Use of my Limbs; that I am not an Apprentice, and that I do not belong to the Militia, or to any Regiment in His Majesty's Service, or to His Majesty's Navy or Royal Marines.

Marina. As Witnefs my Hand at the Day  
of One thousand eight hundred  
and  
Sworn before me at this  
Day of One thousand eight }  
hundred and  
Witnefs present.

## SCHEDULE (B.)

*Form of Master's Oath.*

I of do make Oath,  
That I am by Trade a and that  
was bound to ferve as an Apprentice to me in the faid Trade, by In-  
denture, dated the Day of for  
the Term of Seven Years; and that the faid  
did on or about the Day of abscond  
and quit my Service without my Consent, and that, to the beft of my  
Knowledge and Belief, the faid is aged about  
Years. Witnefs my Hand, at the  
Day of One thousand eight hundred  
and  
Sworn before me at this  
Day of One thousand eight }  
hundred and

## SCHEDULE (C.)

*Form of Justice's Certificate.*

To wit. } I *A. B.* One of His Majesty's Justices of the Peace of  
certify, That of  
came before me at on the Day of  
One thousand eight hundred and and  
made Oath that he was by Trade a and that  
was bound to ferve as an Apprentice to him in  
the faid Trade, by Indenture dated the Day of  
for the Term of Seven Years; and that the  
faid Apprentice did, on or about the Day of  
abscond and quit the Service of the faid  
without his Consent, and that to the beft of his Knowledge and  
Belief the faid Apprentice is aged about Years.  
*A. B.*

## C A P. XXVI.

An Act for raising the Sum of Five Millions, by Exchequer  
Bills, for the Service of *Great Britain*, for the Year One  
thousand eight hundred and thirteen. [1st April 1813.]

“ Treasury empowered to raise 5,000,000*l.* by Exchequer Bills, in  
“ manner prescribed by 48 G. 3. c. 1.—§ 1, 2. Treasury to apply  
“ Money raised. § 3. Principal of faid Bills charged on First Sup-  
“ plies of next Session, § 4. Interest thereon of 3*½*d. per Cent. per  
“ Diem. § 5. Said Bills to be current at the Exchequer after April 5,  
“ 1814. § 6. Bank of *England* empowered to advance 5,000,000*l.*  
“ on Credit of Act, notwithstanding 5 & 6 W. & M. c. 20.—§ 7.

CAP.

## C A P. XXVII.

An Act for raising the Sum of One million five hundred thousand Pounds, by Exchequer Bills, for the Service of *Great Britain*, for the Year One thousand eight hundred and thirteen.

[1st April 1813.]

[On the like Terms as under c. 26. of this Session.]

## C A P. XXVIII.

An Act to explain and amend an Act, passed in the last Session of Parliament, for amending the Laws relating to the Local Militia in *England*.

[1st April 1813.]

52 G. 3. c. 38.

WHEREAS an Act was passed in the Fifty second Year of His present Majesty, intituled *An Act for amending the Laws relating to the Local Militia in England*; And whereas it is expedient that the same should be explained and amended; 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 so much of the said Act as requires the Deputy Lieutenants, at their Subdivision Meetings, to ballot for Local Militia Men in the room of all those whose Terms of Service will expire on the Twentieth Day of *November* ensuing the holding such Meetings, shall be and the same is hereby repealed; and, from and after the passing of this Act, the Deputy Lieutenants shall, and they are hereby empowered and required, immediately after the Fourteenth Day of *November* in each Year, to proceed under the several Provisions of the Laws relating to the Local Militia, to the Ballotting for Local Militia Men to supply all Deficiencies and Vacancies which shall have arisen before the Fourteenth Day of *November*, and also all Deficiencies and Vacancies which will arise after such Fourteenth Day of *November*, and before the First Day of *April* in the next Year, by reason of any Men of the Local Militia being entitled to their Discharge at any time before such First Day of *April*, by the Expiration of the Terms of Service of such Men; and for that Purpose to appoint and hold Subdivision Meetings on or as soon after the said Fourteenth Day of *November* in each Year, as the same can conveniently be held, and to continue to hold such Meetings with as little Delay as possible, until all such Vacancies and Deficiencies shall be supplied; and upon the enrolling such Men, it shall be lawful for the Commanding Officer of the Regiment, Battalion or Corps, and he is hereby required to discharge the Men in whose Stead they shall be enrolled, as directed by the said recited Act.

§ 6r.

repealed.

Vacancies how supplied.

II. And whereas a certain Weekly Allowance is payable to the Wives and Families of Men serving in the Local Militia, in certain cases in the said Act and the said Acts relating to the Militia specified; but such Allowance is not payable in any rateable Portion for any Period less than a Week; and it is therefore expedient that the same should be made payable for any fractional Part of a Week; Be it therefore enacted, That the Allowance made

52 G. 3. c. 38.  
§ 42.



made to the Wives and Families of Men serving in the Local Militia shall be payable and paid in a rateable Proportion of the fractional Part of a Week, whenever the Period for which any Allowance shall be made under the said recited Act, on account of the Assembling of the Local Militia for any of the Purposes therein mentioned shall make it requisite, in order to the giving such Allowance for the whole Period of the Men being so assembled as aforesaid.

III. And whereas by the Provisions of the said recited Act, where the Number of Men raised in any County, Riding or Place, is sufficient, the Local Militia thereof is to be formed into One or more Regiments, consisting of not more than Twelve nor less than Eight Companies; and it is expedient that Power should be given to His Majesty to form the Local Militia of any County, City or Place, into Battalions consisting of Six Companies, if He thinks fit; Be it therefore enacted, That it shall be lawful for His Majesty, whenever He shall think fit, to form the Local Militia of any County, City or Place, into Battalions consisting each of not less than Six Companies.

IV. And whereas by the said recited Act, Power is given to His Majesty to direct any Number of Officers, Non Commissioned Officers and Corporals, actually serving in any Regiment, Battalion or Corps of Local Militia, at the time of passing the said Act, to be retained for so long a time during the Continuance of the present War, as His Majesty should think fit; and although Provision is intended to be made in the said recited Act, as to the Pay, Emoluments and Advantages to which such Officers as well as Non Commissioned Officers and Corporals so retained are to be entitled, yet no sufficient Provision is made for the Pay, Emoluments and Advantages to Officers so retained; Be it therefore enacted, That all such Officers so retained as aforesaid shall be entitled to such Pay, Emoluments and Advantages as other Officers are by Law entitled to.

V. And be it further enacted, That no Drummer of any Regiment, Battalion or Corps of Local Militia, whether on permanent Pay or otherwise, shall be allowed to enlist into the Army, Navy or Marines, or Regular Militia, or to engage himself as a Substitute or Volunteer in the Regular Militia at any time, unless with the Consent in Writing of the Commandant of such Regiment, Battalion or Corps, given for that Purpose.

VI. And whereas in cases where the Local Militia of any County shall have consisted of Two or more Regiments, Battalions or Corps, and One shall be reduced (in consequence of the Reduction of the Quota of such Local Militia for such County, under the said recited Act), a Power is given to His Majesty to order that any Number of Field Officers and Officers, together with the Adjutant and Quarter Master who was serving at the time of passing the said recited Act, might be appointed to act in any other Regiment, Battalion or Corps of Local Militia within the said County, and should succeed to Vacancies which might occur in such Regiment, Battalion or Corps; Be it enacted, That all Supernumerary Adjutants and Quarter Masters, whether retained under the said recited Provision, or in any other manner, shall succeed to any Vacancies which may occur in their respective Ranks, in any Regiment, Battalion or Corps within the same County, although they may have

Wives and Families of Militia Men entitled to Allowance for fractional Parts of a Week.

52 G. 3. c. 38.  
§ 68.

His Majesty may form Local Militia of County into Battalions of Six Companies.

52 G. 3. c. 38.  
§ 69.

Pay to Officers retained.

Drummers not to enlist into Army, &c. without Consent.

52 G. 3. c. 38.  
§ 71.

Adjutants, &c. of Regiments reduced, to succeed to Vacancies occurring in any other Regiment.

have not been before appointed as aforesaid, to act with such Regiment, Battalion or Corps.

52 G. 3. c. 38.  
§ 91.

‘ VII. And whereas by the said recited Act, a Power is given to  
‘ Persons enrolled in the Local Militia of *England*, being desirous of  
‘ removing from one County to another County, at any time during  
‘ the Period of their Service, so to do, under the Rules, Restrictions  
‘ and Regulations therein contained, and it is reasonable that a like  
‘ Power should be given to remove from *England* to *Scotland*, or  
‘ *vice versa* ;’ Be it therefore enacted, That in case any Person  
enrolled to serve as a Private in the Local Militia of any County,  
Riding, Shire, Stewartry, City or Place, in *England* or *Scotland*  
respectively, shall be desirous of removing from *England* to *Scotland*, or  
from *Scotland* to *England*, at any time or times during the Period  
of his Service, it shall be lawful for him to do so, upon giving such  
Notice and pursuing all such Directions, and in all respects under and  
subject to the same Rules, Regulations and Restrictions as are pre-  
scribed in the said recited Act for Persons removing from one County  
in *England* to another County in *England*.

Local Militia  
removed from  
England to Scot-  
land or vice  
versa.

‘ VIII. And whereas Mistakes oftentimes unavoidably occur in  
‘ the Christian Names of Persons returned as liable to serve in the  
‘ Local Militia, and Doubts have arisen, whether the Persons drawn  
‘ can in such cases be made to serve, or any Penalties can be levied  
‘ for Neglect of the Provision of the said recited Act ;’ For Remedy  
whereof, be it enacted, That no Return or List or Ballot shall be  
deemed irregular, by reason of any Mistake in the Christian Name of  
the Person returned and ballotted, and all the Penalties of the said  
recited Act shall be enforced against the Person so returned and bal-  
lotted in like manner in every respect as if the Christian Name had  
been correctly returned ; provided that Notice of the Person being  
ballotted shall have been given to the Person so ballotted according  
to the Provision of the said recited Act : Provided always, that every  
Person so returned and ballotted under any wrong Christian Name as  
aforesaid, shall be entitled to claim any Exemption to which he may  
be entitled after being so ballotted, and although the Days and Times  
for hearing Appeals shall have passed.

Returns not  
deemed irregular  
on account of  
Mistakes of  
Names.

‘ IX. And whereas Doubts have arisen as to the Mode of appor-  
‘ tioning such Number of Men as may be ordered to be raised for  
‘ the Local Militia among the several Subdivisions and Parishes of  
‘ each County, so far as relates to the regard to be had to the  
‘ Effective Yeomanry and Volunteers then actually serving ;’ Be it  
therefore declared and enacted, That, from and after the passing  
of this Act, in order to a due Apportionment thereof, the Number  
of Local Militia required to be raised in any County or Subdivision,  
shall be added to the Number of Effective Yeomanry or Volunteers  
actually serving for such County or Subdivision, and duly returned  
as such in the manner required by the several Acts of Parliament  
relating to Yeomanry and Volunteers ; and the total Number of  
Local Militia and Volunteers shall be apportioned over the Subdivi-  
sions and Parishes of such County, and the effective Yeomanry and  
Volunteers actually serving in any Subdivision or Parish shall then be  
taken in Part of the Quota apportioned upon such Subdivision or  
Parish, so that the Number of Men to be raised by such Subdivision  
or Parish shall in no case exceed such Number as, in Addition to the  
Number of Effective Yeomanry and Volunteers actually serving, will  
amount

Local Militia  
apportioned  
where there are  
effective Yeo-  
manry and Vo-  
lunteers.

amount to the Quota apportioned upon such Subdivision or Parish : Provided always, that nothing herein contained shall be deemed or construed to invalidate any Apportionment which may have been made under the Provisions of the said recited Act, but every such Apportionment shall remain in full Force and Effect, and be acted upon as the proper Apportionment, until the Deputy Lieutenants shall see fit to make any new Apportionment under the Provisions of this Act.

X. And whereas various Delays often occur in the completing the Ballots for Men to serve in the Local Militia ; and it is expedient that Power should be given to remit Fines in such cases where the Men have been actually enrolled before the period usually fixed for the Training and Exercising of the Local Militia ; Be it therefore enacted, That it shall be lawful for His Majesty, by Order of the Secretary of State made for that Purpose, to remit any Fine or Fines, or any Proportion of any Fine or Fines, incurred by any County, Hundred, Parish or Piece by reason of the full Number required not having been enrolled within the Periods specified in the said recited Act in respect of all Men actually enrolled before the First Day of April ; any thing in the said recited Act to the contrary notwithstanding.

His Majesty, in certain cases may remit Fines.

XI. And be it further enacted, That it shall be lawful for the Lieutenants and Deputy Lieutenants at any General Meeting, and they are hereby required to ascertain and fix by Ballot the Order in which the respective Subdivisions, Hundreds and Parishes in their respective Counties shall stand as to the supplying any Vacancy or Vacancies that may exist or arise therein by reason of the Appointment of any Person serving in the Local Militia of any such County to be a Drummer, in the same manner as they may do where Vacancies arise by reason of the Appointment of Persons to be Serjeants and Corporals, and shall in like manner, immediately after the same shall be so ascertained and fixed, cause such Subdivisions, Hundreds and Parishes respectively to be entered in such Order in a List to be prepared for that Purpose : and such Vacancies shall be supplied by such Subdivisions, Hundreds and Parishes in the Order in which they shall have been entered in such List as aforesaid, and not by the Parishes for which the Men so promoted shall have served.

Lieutenancy to fix the Order for supplying Vacancies.

XII. And be it further enacted, That the Fine or Penalty of Thirty Pounds for not appearing to be enrolled and sworn under the said recited Act shall and may be sued for, prosecuted and recovered, and levied before a Justice of the Peace, in such and the like manner and by such and the like ways and means as any Fine or Penalty not exceeding Twenty Pounds may be sued and prosecuted for or levied and recovered under the Provisions of the said recited Act.

52 G. 3. c. 38. § 44.

Penalties recovering for Non-appearance.

XIII. And be it further enacted, That so much of the said recited Act as directs the Reward for apprehending any Deforter from the Local Militia to be paid out of the Contingent Fund of the Regiment to which the Deforter shall have belonged, and as authorizes any Justice of the Peace to issue any Warrant for the Payment of such Reward out of such Fund, shall be and the same is hereby repealed ; and, from and after the passing of this Act, every such Reward of Twenty Shillings shall be paid by the Treasurer of the County to the Local Militia of which such Deforter shall belong, out of any Money

52 G. 3. c. 38. § 121.

repealed Reward for apprehending Deforters, how to be paid.

Money in his Hands arising from any County Rates; and such Payment shall be made upon the Warrant of any Justice of the Peace before whom any such Defeater shall be brought, who shall issue his Warrant to the Treasurer of the County for that Purpose and as an Authority for such Payment.

Serjeants, &c. in Regular Forces or Militias, eligible to serve in Local Militia.

XIV. And be it further enacted, That every Person who has served as a Serjeant, Corporal or Drummer in His Majesty's Regular Forces, or in the Regular or Local Militia, shall be eligible to be enrolled and to serve as a Volunteer in the Local Militia of any County, Riding or Place under the Provisions of the said recited Act, although such Person may not be of the same County, Riding or Place, or of any adjoining Parish or Place as required by the said Act in relation to Volunteers; any thing in the said recited Act to the contrary notwithstanding: Provided always, that no such Serjeant or Corporal shall be more than Forty five Years of Age, or have more than Four Children under Fourteen Years of Age: Provided also, that no such Drummer shall be rejected in consequence of being under Eighteen Years of Age or under the Height of Five Feet Two Inches: Provided also, that no such Serjeant, Corporal or Drummer shall be eligible as aforesaid, unless he shall produce to the Deputy Lieutenants before whom he is to be enrolled as such Volunteer as aforesaid, a Certificate from the Commandant of some Regiment, Battalion or Corps of Local Militia belonging to the County for which such Serjeant, Corporal or Drummer is to be enrolled as a Volunteer, stating that such Serjeant, Corporal or Drummer is qualified for the Situation in which he shall have so served as aforesaid, and that it is his Intention to appoint him when enrolled to be a Serjeant, Corporal or Drummer, as the case may be, to the Regiment, Battalion or Corps under his Command, for the Purpose of aiding and assisting in the Training and Exercise thereof.

52 G. 3. c. 38.  
§ 36.

Refusing to be examined by Surgeon, enrolled.

XV. And be it further enacted, That if any Person ballotted to serve in the Local Militia, shall refuse to be examined by a Surgeon as directed by the said recited Act, it shall be lawful for any Two or more Deputy Lieutenants assembled at any Subdivision Meeting, or any Deputy Lieutenant and One Justice of the Peace so assembled, and they are hereby required to cause such Person to be enrolled as a Local Militia Man for the Parish or Place for which he was so ballotted to serve; any thing contained in any Act of Parliament to the contrary notwithstanding.

#### C A P. XXIX.

An Act to explain and amend an Act, passed in the last Session of Parliament, intituled *An Act for amending the Laws relating to the Local Militia in Scotland.* [1st April 1813.]

52 G. 3. c. 68.

WHEREAS an Act was passed in the Fifty second Year of His present Majesty, intituled *An Act for amending the Laws relating to the Local Militia in Scotland*: And whereas it is expedient that the same should be explained and amended; 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 so much of the said Act as requires the Deputy Lieutenants

§ 59.

ments at their Subdivision Meetings to ballot for Local Militia Men; in the room of all those whose Terms of Service will expire on the Twentieth Day of November ensuing the holding such Meetings, shall be and the same is hereby repealed; and, from and after the passing of this Act, the Deputy Lieutenants shall, and they are hereby empowered and required, immediately after the Fourteenth Day of November in each Year, to proceed, under the several Provisions of the Laws relating to the Local Militia, to the balloting for Local Militia Men, to supply all Deficiencies and Vacancies which shall have arisen before the Fourteenth Day of November, and also all Deficiencies and Vacancies which will arise after such Fourteenth Day of November and before the First Day of April in the next Year, by reason of any Men of the Local Militia being entitled to their Discharge at any time before such First Day of April, by the Expiration of the Terms of Service of such Men; and for that Purpose, to appoint and hold Subdivision Meetings, on or as soon after the said Fourteenth Day of November in each Year as the same can conveniently be held, and to continue to hold such Meetings with as little Delay as possible, until all such Vacancies and Deficiencies shall be supplied; and upon the enrolling such Men, it shall be lawful for the Commanding Officer of the Regiment, Battalion or Corps, and he is hereby required to discharge the Men in whose Stead they shall be enrolled, as directed by the said recited Act.

Vacancies supplied.

II. And whereas a certain Weekly Allowance is payable to the Wives or Families of Men serving in the Local Militia, in certain cases in the said Act and the other Acts relating to the Militia specified; but such Allowance is not payable in any rateable Proportion, for any Period less than one Week; and it is therefore expedient that the same should be made payable for any fractional Part of a Week; Be it therefore enacted, That the Allowance made to the Wives and Families of Men serving in the Local Militia shall be payable and paid in a rateable Proportion for the fractional Part of a Week, whenever the Period for which any Allowance shall be made under the said recited Act, on account of the assembling of the Local Militia for any of the Purposes therein mentioned, shall make it requisite, in order to the giving such Allowance for the whole Period of the Men being so assembled as aforesaid.

52 G. 3. c. 68.  
§ 40.

Wives and Families of Militia Men entitled to Allowance for Fractional Part of a Week.

III. And whereas by the Provisions of the said recited Act, where the Number of Men raised in any County, Stewartry, or Place is sufficient, the Local Militia thereof is to be formed into One or more Regiments, consisting of not more than Twelve nor less than Eight Companies; and it is expedient that Power should be given to His Majesty to form the Local Militia of any County, Stewartry or Place, into Battalions, consisting of Six Companies, if He thinks fit; Be it therefore enacted, That it shall be lawful for His Majesty, whenever He shall think fit, to form the Local Militia of any County, Stewartry or Place, into Battalions, consisting each of not less than Six Companies.

52 G. 3. c. 68.  
§ 66.

His Majesty empowered to form Local Militia of any County into Battalions, consisting of Six Companies each.

IV. And whereas by the said recited Act, Power is given to His Majesty to direct any Number of Officers, Non Commissioned Officers and Corporals, actually serving in any Regiment, Battalion or Corps of Local Militia at the time of passing the said Act, to be retained for so long a time during the Continuance of the present War, as His Majesty should think fit; and although Provision is intended

52 G. 3. c. 68.  
§ 67.

Pay and Emoluments to Officers retained under the Act.

Drummers inlisting in the Army, &c. without Consent.

52 G. 3. c. 68.  
§ 69.

Adjutant, &c. of Regiments reduced, to succeed to Vacancies which occur in other Regiment in County.

52 G. 3. c. 68.  
§ 90.

Men may remove from a County in Scotland to one in England, and vice versa.

' intended to be made in the said recited Act, as to the Pay, Emolumen and Advantages to which such Officers, as well as Non Commissioned Officers, and Corporals so retained are to be entitled, yet no sufficient Provision is made for the Pay, Emoluments and Advantages to Officers so retained; Be it therefore enacted, That all such Officers so retained as aforesaid shall be entitled to such Pay, Emoluments and Advantages as other Officers are by Law entitled to.

V. And be it further enacted, That no Drummer of any Regiment, Battalion or Corps of Local Militia, whether on permanent Pay or otherwise, shall be allowed to inlist into the Army, Navy or Marines, or Regular Militia, or to engage himself as a Substitute or Volunteer in the Regular Militia at any time, unless with the Consent in Writing of the Commandant of such Regiment, Battalion or Corps, given for that Purpose.

' VI. And whereas in cases where the Local Militia of any County or Stewartry shall have consisted of Two or more Regiments, Battalion or Corps, and One shall be reduced (in consequence of the Reduction of the Quota of such Local Militia for such County or Stewartry under the said recited Act), a Power is given to His Majesty to order that any Number of Field Officers and Officers, together with the Adjutant and Quarter Master, who were serving at the time of passing the said recited Act, might be appointed to act in any other Regiment, Battalion or Corps of Local Militia with the said County or Stewartry, and should succeed to Vacancies which might occur in such Regiment, Battalion or Corps; Be it enacted, That all supernumerary Adjutants and Quarter Masters, whether retained under the said recited Provision, or in any other manner, shall succeed to any Vacancies which may occur in their respective Ranks, in any Regiment, Battalion or Corps within the same County or Stewartry, although they may not have been before appointed as aforesaid to act with such Regiment, Battalion or Corps.

' VII. And whereas by the said recited Act, a Power is given to Persons inrolled in the Local Militia of Scotland, being desirous of removing from One County or Stewartry to another County or Stewartry, at any time during the Period of their Service, so to do, under the Rules, Restrictions and Regulations therein contained; and it is reasonable that a like Power should be given to remove from Scotland to England, or vice versa; Be it therefore enacted, That in case any Person enrolled to serve as a Private in the Local Militia of any County, Riding, Shire, Stewartry, City or Place, in England or Scotland respectively, shall be desirous of removing from Scotland to England, or from England to Scotland, at any time or times during the Period of his Service, it shall be lawful for him to do so, upon giving such Notice, and pursuing all Directions, and in all respects under and subject to the same Rules, Regulations and Restrictions, as are prescribed in the said recited Act, for Persons removing from one County or Stewartry in Scotland to another County or Stewartry in Scotland.

' VIII. And whereas Mistakes oftentimes unavoidably occur in the Christian Names of Persons returned as liable to serve in the Local Militia, and Doubts have arisen whether the Persons drawn can in such cases be made to serve, or any Penalties can be levied for

‘ for the Neglect of the Provision of the said recited Act;’ For Remedy whereof, be it enacted, That no Return or List or Ballot shall be deemed irregular by reason of any Mistake in the Christian Name of the Person returned and ballotted, and all the Penalties of the said recited Act shall be enforced against the Person so returned and ballotted in like manner in every respect as if the Christian Name had been correctly returned; provided that Notice of the Person being ballotted shall have been given to the Person so ballotted according to the Provision of the said recited Act: Provided always, that every Person so returned and ballotted under any wrong Christian Name as aforesaid shall be entitled to claim any Exemption to which he may be entitled after being so ballotted, and although the Days and Times of hearing Appeals shall have passed.

Returns not deemed irregular on account of Mistakes of Names.

‘ IX. And whereas Doubts have arisen as to the Mode of apportioning such Number of Men as may be ordered to be raised for the Local Militia among the several Wards and Parishes of each County, Stewartry or Place, so far as relates to the Effective Yeomanry and Volunteers then actually serving;’ Be it therefore declared and enacted, That, from and after the passing of this Act, in order to a due Apportionment thereof, the Number of Local Militia required to be raised in any County, Stewartry, Ward or other Division, shall be added to the Number of Effective Yeomanry or Volunteers actually serving for such County, Stewartry, Ward or other Division, and duly returned as such in the manner required by the several Acts of Parliament relating to Yeomanry and Volunteers, and the total Number of Local Militia and Volunteers shall be apportioned over the Wards or other Divisions and Parishes of such County or Stewartry, and the effective Yeomanry and Volunteers actually serving in any Ward, Division or Parish, shall then be taken in Part of the Quota apportioned upon such Ward, Division or Parish, so that the Number of Men to be raised by such Ward, Division or Parish, shall in no case exceed such Number as, in Addition to the Number of Effective Yeomanry and Volunteers actually serving, will amount to the Quota apportioned upon such Ward, Division or Parish: Provided always, that nothing herein contained shall be deemed or construed to invalidate any Apportionment which may have been made under the Provisions of the said recited Act; but every such Apportionment shall remain in full Force and Effect, and be acted upon as the proper Apportionment until the Deputy Lieutenants shall see fit to make any new Apportionment under the Provisions of this Act.

Apportioning Local Militia where there are effective Yeomanry and Volunteers.

Proviso.

‘ X. And whereas various Difficulties often occur in the completing the Ballots for Men to serve in the Local Militia, and it is expedient that Power should be given to remit Fines in such cases where the Men have been actually enrolled before the Period usually fixed for the Training and Exercise of the Local Militia;’ Be it therefore enacted, That it shall be lawful for His Majesty, by order of the Secretary of State made for that Purpose, to remit any Fine or Fines or any Proportion of any Fine or Fines incurred by any County, Stewartry, Parish or Place, by reason of the full Number required not having been enrolled within the Periods specified in the said recited Act, in respect of all Men actually enrolled before the First Day of April; any thing in the said recited Act to the contrary notwithstanding.

His Majesty, in certain cases may remit Fines.

Lieutenancy to fix the Order for supplying Vacancies.

XI. And be it further enacted, That it shall be lawful for the Lieutenants and Deputy Lieutenants at any General Meeting, and they are hereby required to ascertain and fix by Ballot the Order in which the respective Subdivisions and Parishes in their respective Counties, Stewartries and Places shall stand, as to the supplying any Vacancy or Vacancies that may exist or arise therein by reason of the Appointment of any Person serving in the Local Militia of any such County, Stewartry or Place to be a Drummer, in the same manner as they may do where Vacancies arise by reason of the Appointment of Persons to be Serjeants and Corporals, and shall in like manner, immediately after the same shall be so ascertained and fixed, cause such Subdivisions and Parishes respectively to be entered in such Order in a List to be prepared for that Purpose; and such Vacancies shall be supplied by such Subdivisions and Parishes, in the Order in which they shall have been entered in such Lists as aforesaid, and not by the Parishes for which the Men so promoted shall have served.

52 G. 3. c. 68.

§ 42.

How Penalty shall be recovered for Non-appearance.

XII. And be it further enacted, That the Fine or Penalty of Thirty Pounds for not appearing to be enrolled and sworn under the said recited Act, shall and may be sued for, prosecuted and recovered and levied before a Justice of the Peace, in such and the like manner, and by such and the like ways and means as any Fine or Penalty not exceeding Twenty Pounds may be sued and prosecuted for, or levied and recovered under the Provisions of the said recited Act.

Serjeants, &c. in Regular Forces or Militias, eligible to serve in any Local Militia.

XIII. And be it further enacted, That every Person who has served as a Serjeant, Corporal or Drummer in His Majesty's Regular Forces, or in the Regular or Local Militia, shall be eligible to be enrolled, and to serve as a Volunteer in the Local Militia of any County, Stewartry or Place under the Provisions of the said recited Act, although such Person may not be of the same County, Stewartry or Place, or of any adjoining Parish or Place, as required by the said Act, in relation to Volunteers; any thing in the said recited Act to the contrary notwithstanding: Provided always, that no such Serjeant or Corporal shall be more than Forty five Years of Age, or have more than Four Children under Fourteen Years of Age: Provided also, that no such Drummer shall be rejected in consequence of being under Eighteen Years of Age, or under the Height of Five Feet Two Inches: Provided also, that no such Serjeant, Corporal or Drummer shall be eligible as aforesaid, unless he shall produce to the Deputy Lieutenants, before whom he is to be enrolled as such Volunteer as aforesaid, a Certificate from the Commandant of some Regiment, Battalion or Corps of Local Militia belonging to the County, Stewartry or Place for which such Serjeant, Corporal or Drummer is to be enrolled as a Volunteer, stating that such Serjeant, Corporal or Drummer is qualified for the Situation in which he shall have so served as aforesaid, and that it is his Intention to appoint him when enrolled to be a Serjeant, Corporal or Drummer, as the case may be, to the Regiment, Battalion or Corps under his Command, for the Purpose of aiding and assisting in the Training and Exercise thereof.

52 G. 3. c. 68.

§ 34.

Lieutenants Chief Command of Local Militia.

XIV. And be it further enacted, That the Lieutenant of every County, Stewartry or Place, shall have the Chief Command of the Local Militia, within the County, Stewartry or Place to which he is appointed.



XV. And be it further enacted, That where the Local Militia of Two or more Counties or Stewartries shall be joined together in order to form a Battalion, which shall be entitled only to one Lieutenant Colonel Commandant, and one Major, in every such case the Lieutenant Colonel Commandant shall be appointed by the Lieutenant of the County, Stewartry or Place furnishing the greatest Number of Private Men; and the Major shall be appointed by the Lieutenant of the County, Stewartry or Place furnishing the next greatest Number, provided such Number shall be sufficient to form a Company.

Appointment of Officers in certain cases.

XVI. And be it further enacted, That the Descriptions of Qualifications of Officers to be appointed in the Local Militia, which by the said recited Act are directed to be delivered in to the Clerk of the Peace of the County, Stewartry or Place for which they are to be appointed, shall no longer be delivered in to such Clerk of the Peace, but shall, from and after the passing of this Act, be delivered in to the Clerk of Supply of such County, Stewartry or Place, or (in the Absence of the Clerk of Supply) to his Deputy; and such Clerk of Supply, or his Deputy, shall transmit to the Lieutenant of the County, Stewartry or Place, a Copy of such Description, and shall enter the Qualifications transmitted to him upon a Roll to be provided for that Purpose; and shall cause to be inserted in the *London Gazette* the Dates of the Commissions, and the Names and Rank of the Officers, together with the Names of the Officers in whose room they are appointed; and shall transmit to His Majesty's Principal Secretary of State, a Certificate in the Form in Schedule (A.) annexed to the said recited Act, that the Qualifications have been so left with him; all which things shall be done by the Clerk of Supply in the manner in which the Clerk of the Peace is directed to do the same by the said recited Act, and the Clerk of Supply shall be subject to the same Penalties in case of Nonperformance.

52 G. 3. c. 68. § 8.

Qualification of Officers sent to Clerk of Supply.

XVII. And be it further enacted, That, from and after the passing of this Act, it shall be lawful for all Justices of the Peace and Magistrates of Cities, Towns and Places, and they and each of them are and is respectively hereby required to quarter and billet the Officers, Non-Commissioned Officers, Drummers and Private Men serving in the Local Militia, at the times when they shall be called out to annual Exercise, in the same way and manner as His Majesty's Regular Forces are so furnished and provided in *Scotland*, upon Application made to any such Justices of the Peace or Magistrates by His Majesty's Lieutenant, or by the Colonel or other Commanding Officer of the Regiment or Battalion of Local Militia so called out to Exercise as aforesaid, or of any Division or Detachment thereof; and when the Local Militia is not embodied nor called out to Exercise as aforesaid, all Justices of the Peace and Magistrates aforesaid may, and they and each of them are and is hereby respectively required, to order and provide convenient Quarters in such manner as aforesaid for the Serjeants, Corporals and Drummers of the Local Militia on permanent Pay.

Local Militia billeted as Regular Forces.

XVIII. And be it further enacted, That, from and after the passing of this Act, if the Magistrates and Council of any Royal Burgh shall provide and produce to the Deputy Lieutenants of the County, Stewartry or Place, or any Two or more of them, at any Subdivision Meeting for choosing the Local Militia by Ballot, any Volunteer or

Magistrates and Town Council of Royal Burghs to provide Volunteers.

Volunteers being of the same County, Stewartry or Place, or of some adjoining Parish or Place, who shall be examined and approved in the manner directed by the said recited Act, such Volunteer or Volunteers so examined and approved shall be then and there sworn in and enrolled, to serve for such Term, and on the same Conditions as is by the said Act provided in case of Persons chosen by Ballot; and the said Deputy Lieutenant shall cause only such Number of Persons to be chosen by Ballot out of the Lists returned for such Royal Burgh, as shall be then wanted to make up the whole Number to serve for such Royal Burgh.

Magistrates may assess for Bounties given to such Volunteers.

XIX. And be it further enacted, That the Magistrates and Council of any such Royal Burgh shall and they are hereby authorized to levy from the Heritors, Burgesses and Inhabitants of any such Royal Burgh, an Assessment not exceeding at the Rate of Two Pounds Two Shillings for each Volunteer, which such Provost, Magistrates and Council may agree to give to such Volunteers, in the manner in which the Magistrates of the Cities of *Edinburgh* and *Glasgow* are enabled to levy their Proportion of any Assessment made under an Act passed in the Forty ninth Year of the Reign of His present Majesty, intituled *An Act for providing Relief for the Wives and Families of the Militia Men in Scotland, when called out into actual Service*.

49 G. 3. c. 90.

52 G. 3. c. 68.

§ 34.  
in part repealed.

XX. And be it further enacted, That so much of the said first recited Act, intituled *An Act for amending the Laws relating to the Local Militia in Scotland*, as enables the Heritors of any Parish to assess Sums equal to such Bounties as they shall agree to give to any Volunteer or Volunteers to serve in the Local Militia, upon the Heritors within such Parish in Proportion to the valued Rent of every Heritor within the Parish, and also so much of the said recited Act as directs One Half of every such Sum so assessed, to be paid by the Tenant or Tenants of the Land upon which the same shall be assessed, shall be and the same is hereby repealed; and that instead thereof, all Assessments for raising any Sums agreed to be given by the Heritors of any Parish to any Volunteer or Volunteers, to serve in the Local Militia pursuant to the said recited Act, shall and may be made and levied in the manner directed by the said last recited Act, intituled *An Act for providing Relief for the Wives and Families of the Militia Men in Scotland, when called out into actual Service*: Provided always, that if any Assessment shall have already been made or levied under the Authority of so much of the said first recited Act as is hereby repealed, an Assessment shall nevertheless be made and levied in the manner hereby directed, and all Parties shall be put in the same Situation as if no Assessment had been made under the said first recited Act.

Assessments for Bounties given to Volunteers by Heritors how made.

49 G. 3. c. 90.

Qualifications of Officers for Glasgow.

XXI. And be it further enacted, That all Persons to be appointed Officers of the Local Militia in and for the City of *Glasgow*, shall possess the same Qualifications as is required under the Provisions of the said recited Act, of all Persons to be appointed Officers of the Local Militia in and for the City of *Edinburgh* and Liberties thereof.

Refusing to be examined by Surgeon enrolled.

XXII. And be it further enacted, That if any Person ballotted to serve in the Local Militia shall refuse to be examined by a Surgeon, as directed by the said recited Act, it shall be lawful for any Two or more Deputy Lieutenants assembled at any Subdivision Meeting, or any Deputy Lieutenant and One Justice of the Peace so assembled, and they are hereby required to cause such Person to be enrolled as a

Local Militia Man for the Parish or Place for which he was so ballotted to serve; any thing contained in any Act of Parliament to the contrary notwithstanding.

## C A P. XXX.

An Act to allow a Bounty on the Exportation of the Manufactures of Refuse or Waste Silk. [1st April 1813.]

WHEREAS it is expedient, for the further Encouragement of the Silk Manufacturers of *Great Britain* that the Bounty now allowed by Law on the Manufactures of Raw or Thrown Silk should be extended to the Manufactures of Waste Silk or Refuse Silk, provided the Goods at the Port of Exportation are of the Value mentioned in this Act; 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 *April* One thousand eight hundred and thirteen, the Bounty which is by Law payable upon the Exportation from *Great Britain* of Articles manufactured from Raw or Thrown Silk, shall be allowed and paid on the like Description of Articles manufactured either in the Whole or in Part from Silk called or known by the Denomination of *Refuse Silk* or *Waste Silk*; and such Bounty shall be paid and allowed in the same manner, and subject to the same Conditions, Rules, Regulations, Restrictions, Penalties and Forfeitures as are directed and provided by the Laws in force with respect to any other Bounty on Manufactures of Silk exported from *Great Britain*, so far as the same are applicable and are not hereby altered: Provided always, that no Bounty shall be paid or allowed on any Manufactures of Silk whatever, unless the Value of the Goods at the Port of Exportation is at least four Times the Amount of the Bounty claimed thereon.

Bounty on Exportation of Articles manufactured from Refuse or Waste Silk.

## C A P. XXXI.

An Act for further continuing, until the Twenty fifth Day of *March* One thousand eight hundred and fourteen, certain Bounties and Drawbacks on the Exportation of Sugar from *Great Britain*; and for suspending the Countervailing Duties and Bounties on Sugar, when the Duties imposed by an Act of the Forty ninth Year of His present Majesty shall be suspended. [1st April 1813.]

WHEREAS an Act passed in the Forty third Year of His present Majesty, intituled *An Act for discontinuing certain Drawbacks and Bounties on the Exportation of Sugar from Great Britain, and for allowing other Drawbacks and Bounties in lieu thereof, until the Fifteenth Day of January One thousand eight hundred and four*: And whereas an Act passed in the Forty fifth Year of His present Majesty, intituled *An Act to amend Two Acts passed in the Forty third and Forty fifth Years of His present Majesty for regulating the Drawbacks and Bounties on the Exportation of Sugar from Great Britain*: And whereas Three other Acts passed in the Forty sixth, Forty seventh and Forty eighth Years of His present Majesty, for further continuing the said Act of the Forty third

43 G. 3. c. 12.

45 G. 3. c. 98.

46 G. 3. c. 10.

47 G. 3. sess. 1. c. 29.

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Year

48 G. 3. c. 16.

49 G. 3. c. 11.

49 G. 3. c. 98.

50 G. 3. c. 18.

51 G. 3. c. 13.

52 G. 3. c. 15.

Drawbacks in  
Schedules of  
49 G. 3. c. 98.  
and Bounties  
in Schedule to  
45 G. 3. c. 93.  
allowed.

Exception.

When Draw-  
backs allowed,  
&c.

32 G. 3. c. 43.

49 G. 3. c. 98.

45 G. 3. c. 93.

Year of His present Majesty: And whereas another Act passed in the Forty ninth Year of His present Majesty, intituled *An Act for further continuing until the Twenty fifth Day of March One thousand eight hundred and ten, certain Bounties and Drawbacks on the Exportation of Sugar from Great Britain; and for suspending the Countervailing Duties and Bounties on Sugar when the Duties imposed by an Act of the Forty sixth Year of His present Majesty shall be suspended*: And whereas an Act passed in the Forty ninth Year of the Reign of His present Majesty, intituled *An Act for repealing the several Duties of Customs chargeable in Great Britain; and for granting other Duties in lieu thereof*: And whereas by Three other Acts passed in the Fiftieth, Fifty first and Fifty second Years of His present Majesty, the Drawbacks allowed by the said recited Act passed in the Forty ninth Year aforesaid, and the Bounties allowed by the said recited Act of the Forty fifth Year of the Reign of His present Majesty were further continued; and it is expedient that the said Drawbacks and Bounties so continued by the said Acts of the Fiftieth, Fifty first and Fifty second Years of His present Majesty, should be further continued; 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 several Drawbacks in the Schedule to the said last recited Act of the Forty ninth Year aforesaid annexed, and the Bounties in the Schedule to the said recited Act of the Forty fifth Year of the Reign of His present Majesty annexed, shall be respectively paid and allowed in like manner in every respect, and subject to and under, and according to the like Rules, Regulations, Restrictions, Penalties and Forfeitures (except where any Alteration is made by this Act), as the said Drawbacks and Bounties were respectively paid or allowed before the passing of this Act.

II. And be it further enacted, That if it shall appear by Notice in the *London Gazette* published on the *Saturday* which shall happen next after the *First Wednesday in May*, the *First Wednesday in September* One thousand eight hundred and thirteen, or the *First Wednesday in January* One thousand eight hundred and fourteen, that the Average Prices of Brown or Muscovado Sugar taken in manner directed by 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; for the Four preceding Months; computed to the Wednesday immediately preceding such Saturday aforesaid; shall not have exceeded Seventy Shillings for an Hundred Weight exclusive of the Duties of Customs paid or payable thereon on the Importation into Great Britain*, then and in every such case the Drawback or Bounty in the Schedules to the said recited Acts passed in the Forty ninth and Forty fifth Years of His present Majesty aforesaid respectively annexed mentioned, as corresponding to or with the Price of which such Notice in the *London Gazette* shall have been given as aforesaid, shall be paid or allowed until Notice of any other Average shall in like manner appear in the *London Gazette* on any other of such *Saturdays* as before mentioned; and such Drawback or Bounty shall be paid or

or allowed in like manner in every respect, and subject and under and according to the like Rules and Regulations, Restrictions, Penalties and Forfeitures, as any Drawbacks or Bounties were paid or allowed before the passing of the said first recited Act (except as any such Rules or Regulations are altered by the said recited Acts of the Forty ninth and Forty fifth Years aforesaid).

III. And whereas by an Act passed in the Forty ninth Year of the Reign of His present Majesty, intituled *An Act for repealing the several Duties of Customs chargeable in Great Britain, and for granting other Duties in lieu thereof*, the Lord High Treasurer, or the Lords Commissioners of His Majesty's Treasury, or any Three or more of them, are authorized to suspend the Payment of the additional Duties of Customs on Sugar, granted by the said last recited Act, either in the Whole or in Part, whenever the Average Price of Sugar ascertained as directed by the last recited Act, and by another Act passed in the Forty ninth Year of His present Majesty, intituled *An Act for regulating the Mode in which the Average Price of Brown or Muscovado Sugar, exclusive of the Duty thereon, is to be ascertained under the Provisions of an Act passed in the Forty sixth Year of His present Majesty*, shall be below the Prices mentioned in the said first recited Act of the Forty ninth Year aforesaid: And whereas it is expedient, that during the Period of such Suspension, the Countervailing Duties on Refined Sugar imported from *Ireland* into *Great Britain*, and the equivalent Drawback or Bounty on the Exportation to *Ireland* of Refined Sugar of the Manufacture of *Great Britain*, and also the additional Bounty on the Exportation of Refined Sugar from *Great Britain* other than to *Ireland*, imposed and allowed by the said last recited Act, should in like manner be suspended; Be it therefore further enacted, That whenever the Lord High Treasurer, or the Lords Commissioners of His Majesty's Treasury for the time being, shall exercise the Power vested in them, and shall, according to the Directions of the said Act, suspend the Payment of the whole or part of the Duties on Sugar thereby imposed, it shall be lawful for them, and they are hereby authorized and required, in like manner and for the like Period to suspend either the whole of the additional Countervailing Duties of Customs on Refined Sugar of the Manufacture of *Ireland* imported from thence into *Great Britain*, and of the additional Drawback or Bounty on the Exportation to *Ireland* of Refined Sugar of the Manufacture of *Great Britain*, and of the additional Bounty on the Exportation of Refined Sugar from *Great Britain*, other than to *Ireland*, imposed and allowed by the said last recited Act, or such Part thereof respectively as shall bear a just Proportion to the Amount of Duty so suspended.

IV. And be it further enacted, That the said recited Act of the Forty third Year of His present Majesty, and all the Powers, Provisions, Authorities, Regulations, Clauses, Matters and Things in the said Act contained, except as the same are varied or altered by this Act, shall be and the same are hereby further continued from the Fifteenth Day of *March* One thousand eight hundred and thirteen, and shall be, and remain in full force until the Fifteenth Day of *March* One thousand eight hundred and fourteen, for the Port of *London*, and from the Twenty fifth Day of *March* One thousand eight hundred and thirteen, until the Twenty fifth Day of *March* One

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thousand

49 G. 3. c. 98.

§ 8.

49 G. 3. c. 42.

When Treasury suspend Payment of Duty on Sugar granted by 49 G. 3. c. 98. they shall also suspend Countervailing Duties, &c.

43 G. 3. c. 12. further continued.

thousand eight hundred and fourteen, for other Parts of Great Britain.

47 G. 3. sess. 1.  
c. 22.

§ 1.  
§ 8.  
§ 21.

48 G. 3. c. 1.

47 G. 3. sess. 1.  
c. 22. § 1. 3.

So much of  
47 G. 3. sess. 1.  
c. 22. as relates  
to Bounties on  
Raw Sugars, &c.  
continued.

Bounty on Raw  
Sugar governed  
by Average  
Prices of Brown  
Sugar published  
in London  
Gazette.

V. And whereas by an Act passed in the Forty seventh Year of His present Majesty, intituled *An Act to allow for Two Years, from and after the passing of this Act, an additional Bounty on Double Refined Sugar, and to extend former Bounties on other Refined Sugar to such as shall be pounded, crashed or broken; and to allow for One Year certain Bounties on British Plantation Raw Sugar exported*, a certain Bounty was allowed upon the Exportation of Double Refined Sugar, and also a Bounty was allowed upon the Exportation of Raw Sugar; and it was enacted, that so much of the said recited Act as related to the allowing of a Bounty upon Double Refined Sugar, should continue in force for Two Years from the passing of the said Act, and so much thereof as related to the allowing of a Bounty upon Raw Sugar, should continue in force for One Year from the passing of that Act: And whereas by another Act passed in the Forty eighth Year of His present Majesty, intituled *An Act to amend and continue until the Twenty fifth Day of March One thousand eight hundred and nine, so much of an Act of the Forty seventh Year of His present Majesty, as allows certain Bounties on British Plantation Raw Sugar exported*, so much of the said first recited Act as related to the said Bounties upon Raw Sugars was further continued with certain Alterations until the Twenty fifth Day of March One thousand eight hundred and nine: And whereas so much of the said recited Act of the Forty seventh Year aforesaid, as relates to the Bounties upon Raw Sugar, as altered and continued by the said last recited Act, and also the said last recited Act altering and continuing the same, have been by subsequent Acts continued until the Twenty fifth Day of March One thousand eight hundred and thirteen: And whereas so much of the said recited Act of the Forty seventh Year aforesaid as relates to an additional Bounty on Double Refined Sugar, and to extend former Bounties on other Refined Sugar to such as shall be pounded, crashed or broken, was by an Act of the Fifty first (a) Year of His present Majesty continued until the Twenty fifth Day of March One thousand eight hundred and thirteen, and it is expedient that the said Bounties should be further continued; Be it therefore enacted, That so much of the said recited Act of the Forty seventh Year aforesaid, as relates to the Bounties on Raw Sugars, as altered and continued by the said recited Acts, as likewise so much of the said Act of the Forty seventh Year of His present Majesty as relates to the Bounty on Double Refined Sugar, and to extend former Bounties on other Refined Sugar to such as shall be pounded, crashed or broken, shall be further continued, from the Twenty fifth Day of March One thousand eight hundred and thirteen, until the Twenty fifth Day of March One thousand eight hundred and fourteen.

(a) [52 G. 3. c. 15. § 5.]

VI. Provided always, and be it further enacted, That, from and after the Fourth Day of May One thousand eight hundred and thirteen, the Allowance of the Bounty granted upon the Exportation from Great Britain (except to Ireland) of British Plantation Raw Sugar by the said last recited Act of the Forty seventh Year of the Reign of His present Majesty, shall be governed by the Average Prices

Prices of *Brown or Muscovado Sugar*, computed and published in the *London Gazette*, for the Periods, at the Times, and in the manner hereinbefore directed.

VII. And be it further enacted, That this Act may be altered, amended or repealed by any Act to be passed in this present Session of Parliament. Act may be altered, &c.

### C A P. XXXII.

An Act to continue, until the Twenty fifth Day of *March* One thousand eight hundred and fourteen, an Act for regulating the Drawbacks and Bounties on the Exportation of Sugar from *Ireland*. [1st April 1813.]

WHEREAS the Act hereinafter mentioned has by Experience been found useful and beneficial, and it is expedient that the same should be further continued in manner hereinafter mentioned; 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 Forty seventh Year of His present Majesty's Reign, intituled *An Act to provide more effectually for regulating the Drawbacks and Bounties on the Exportation of Sugar from Ireland, and for allowing British Plantation Sugar to be warehoused in Ireland, until the Twenty fifth Day of March One thousand eight hundred and eight*, and which, by an Act made in the last Session of Parliament, was continued until the Twenty fifth Day of *March* One thousand eight hundred and thirteen, shall be and the same is hereby further continued from the said Twenty fifth Day of *March* One thousand eight hundred and thirteen, until and upon the Twenty fifth Day of *March* One thousand eight hundred and fourteen, except only so much of the said recited Act of the Forty seventh Year aforesaid, as relates to the allowing *British* Plantation Sugar to be warehoused in *Ireland*, and which under the Provisions of an Act made in the Forty ninth Year of His present Majesty's Reign for continuing the said Act of the Forty seventh Year is directed to be warehoused under the Provisions of an Act made in the Forty eighth Year of His present Majesty's Reign, for permitting Goods imported into *Ireland* to be warehoused or secured without the Duties due on the Importation thereof being first paid.

II. And be it further enacted, That this Act, and the Act hereby continued, may be amended, altered or repealed by any Act to be passed in this Session of Parliament. Act repealed, &c.

### C A P. XXXIII.

An Act for granting certain additional Duties of Customs imported into and exported from *Great Britain*.

[15th April 1813.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the necessary Supplies to defray the Expences of the just and necessary War in which Your Majesty is engaged, have freely and voluntarily resolved to give and

47 G. 3. Sess. 1.  
c. 19. further continued.

52 G. 3. c. 25.

Exception.

49. G. 3. c. 30.

48 G. 3. c. 32.

Additional  
Duties on  
Goods imported  
and exported.

‘ and grant to Your Majesty the several new and additional Duties hereinafter 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, from and after the passing of this Act, there shall be raised, levied, collected and paid unto His Majesty, his Heirs and Successors in ready Money (except as hereinafter is provided), without any Discount whatever, upon Goods, Wares or Merchandize imported or brought into *Great Britain* from Parts beyond the Seas, and upon Goods, Wares or Merchandize exported from *Great Britain*, the several new and additional Duties of Customs, as the same are respectively inserted, described and set forth in Figures in the Tables hereunto annexed, marked (A.) and (B.).

Goods for which  
Duties have not  
been paid (except  
imported  
by E. I. C.) liable  
though imported  
before Act.

II. And be it further enacted, That the several and respective new and additional Duties of Customs by this Act granted, on Goods, Wares and Merchandize, shall be charged and payable on all Goods, Wares and Merchandize (other than and except such as shall have been or shall be imported by the United Company of Merchants of *England* trading to the *East Indies*), which shall not have been entered, and on which the Duties of Customs due and payable thereon on or before the passing of this Act shall not have been paid or secured by Bond, notwithstanding such Goods, Wares and Merchandize, may have been imported into *Great Britain* on or before the passing of this Act.

Goods ware-  
housed (except  
imported by  
E. I. C.) liable.

III. Provided always, and be it further enacted, That the new and additional Duties of Customs granted by this Act on Goods, Wares and Merchandize (other than and except such as shall have been imported by the United Company of Merchants of *England* trading to the *East Indies*), shall be charged on all Goods, Wares and Merchandize imported into *Great Britain*, which shall have been warehoused and shall remain at the passing of this Act in Warehouses under His Majesty’s Locks, in pursuance or by the Authority of any Act or Acts of Parliament, or other special Authority in force, on or immediately before the passing of this Act, although such Goods, Wares or Merchandize may have been imported before the passing of this Act; Provided always, that such Duties shall not be payable on any such Goods, Wares or Merchandize, unless and until any such Goods, Wares or Merchandize shall be taken out of any such Warehouse for the Purpose of being used or consumed in *Great Britain*.

Duties paid on  
Goods imported  
by E. I. C. (ex-  
cept Tea, Wines,  
&c.) sold at  
public Sales.

IV. And be it further enacted, That the new and additional Duties of Customs granted by this Act upon Goods, Wares and Merchandize imported by the United Company of Merchants of *England* trading to the *East Indies*, shall be due and payable upon all such Goods, Wares and Merchandize (Tea, Wines, Sugar, Raw Silk and Cotton Wool excepted), as shall, from and after the passing of this Act, be sold at the public Sales of the said Company, and shall be paid or secured in such manner and at such times, and subject to such Rules, Regulations and Restrictions as are prescribed and directed with respect to the Payment of any former Duties of Customs upon such Goods, Wares and Merchandize respectively: Provided also, that the said new and additional Duties of Customs shall



shall be due and payable on all Goods, Wares and Merchandize imported by the said United Company which shall remain in the Warehouses of the said Company at the passing of this Act, and which shall not have been sold at the public Sales of the said Company, notwithstanding such Goods, Wares and Merchandize may have been imported into *Great Britain* before the passing of this Act.

V. And be it further enacted, That in all cases where the Whole or any Part of the Duties of Customs due on the Importation or Exportation of any Goods, Wares and Merchandize, are permitted to be secured by Bond by virtue of any Act or Acts of Parliament in force at the time of such Importation or Exportation, the new and additional Duties of Customs granted by this Act may in like manner, and under the same Rules, Regulations, Restrictions and Conditions, be permitted to be secured by Bond.

Duties Bonded.

[*Duties in what case not payable on Landing, c. 105. § 2. post.*]

VI. And be it further enacted, That all the Monies arising by the new and additional Duties of Customs granted by this Act (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 distinctly and apart from all other Branches of the public Revenues; and that there shall be provided and kept in the Office of the Auditor of the said Receipt of Exchequer, a Book or Books in which all the Monies arising from the said respective Duties, and paid into the said Receipt as aforesaid, shall be entered separate and apart from all other Monies due and payable to His Majesty, his Heirs and Successors, upon any Account whatever.

Paid into Exchequer.

VII. And be it further enacted, That all the Monies arising by the new and additional Duties of Customs imposed by this Act (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; and such of the said Duties as are particularly described and set forth in Figures in the Tables hereunto annexed, marked (A.) and (B.), under the Title and Description of "Permanent Duties," shall be carried to and made Part of the Consolidated Fund of *Great Britain*, and shall be deemed an Addition made to the Revenue for the Purpose of defraying the increased Charge occasioned by any Act passed or to be passed in the present Session of Parliament, for appropriating certain Monies to the Sinking Fund of *Great Britain*; and such of the said Duties as are particularly described and set forth in Figures, in the Tables hereunto annexed, marked (A) and (B.), under the Title and Description of "Temporary or War Duties," shall be issued and applied to such Services as may have been voted by the Commons of the United Kingdom of *Great Britain and Ireland* in this present Session of Parliament, for the Service of the Year One thousand eight hundred and thirteen, or shall be voted by the said Commons for the Service of the same or any subsequent Year; and the Commissioners of His Majesty's Treasury now or for the time being, or any Three or more of them, or the High Treasurer for the time being, are or is hereby authorized and empowered to issue and apply the same accordingly.

Application of Duties.

VIII. And be it further enacted, That every Act of Parliament in force on or immediately before the passing of this Act, by which any Rules, Regulations, Conditions or Restrictions were made, established

Former Acts.

established or directed for the ascertaining the Value of any Goods, Wares or Merchandize, or for the better securing the Revenue of Customs, or for the regular shipping of any Goods, Wares or Merchandize whatever, and all Provisions, Clauses, Matters and Things relating thereto, shall and are hereby declared to be and remain in full Force and Effect, and shall be applied to the Subject of this Act, and for carrying the same into Execution as fully and effectually as if they had been repeated and re-enacted in this Act.

When War Duties shall cease.

IX. And be it further enacted, That the additional Duties of Customs by this Act imposed on Goods, Wares and Merchandize, and which are particularly described and set forth in Figures in the Tables hereunto annexed marked (A.) and (B.), under the Title and Description of Temporary or War Duties, shall be paid and payable during the Continuance of the present War, and for Six Months after the Ratification of a Definitive Treaty of Peace.

Duties levied as former Duties of Customs.

X. And be it further enacted, That the several Duties respectively inserted, described and set forth in Figures in the said Tables hereunto annexed marked (A.) and (B.), as the new and additional Duties of Customs, may and shall respectively be ascertained, managed, raised, levied, collected, answered, paid and recovered in such and the like manner, and by the same means, ways or methods as former Duties of Customs upon Goods, Wares or Merchandize in general; and also by any such special means, ways or methods respectively, as former Duties of Customs upon Goods, Wares or Merchandize, of the same Sorts or Kinds were or might be ascertained, managed, raised, levied, collected, answered, paid and recovered, and the Goods, Wares or Merchandize whereon Duties of Customs are by this Act charged upon the Importation thereof into, or the Exportation hereof from *Great Britain*, shall be and the same are hereby made subject and liable to all and every the Conditions, Regulations, Rules, Restrictions, Seizures and Forfeitures to which Goods, Wares or Merchandize in general, and also all and every the special Conditions, Rules, Regulations, Restrictions, Seizures, Sales and Forfeitures respectively, to which the like Goods, Wares or Merchandize were subject and liable by any Act or Acts of Parliament in force, on or immediately before the passing of this Act, respecting the Revenue of Customs, and all Pains, Penalties, Fines and Forfeitures, of whatever nature or kind the same may be, as well Pains of Death as others, for any Offence whatever committed against or in Breach of any Act or Acts of Parliament in force, on or 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, Provisions and Directions contained in any such Act or Acts 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 hereby charged, in as full and ample manner to all Intents and Purposes whatsoever, as if all and every the said Acts, Clauses, Provisions, Powers, Directions, Fines, Pains, Penalties or Forfeitures were particularly repeated and re-enacted in the Body of this Act, and made Part thereof.

Limitation of Actions.

XI. And be it further enacted, That if any Action or Suit shall be brought or commenced against any Person or Persons for any thing done in pursuance of this Act, such Action or Suit shall be commenced within Three Calendar Months next after the Fact committed,

mitted, 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, her or their Action or Suit after the Defendant or Defendants shall have appeared, or if, upon Demurrer, Judgment 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 any other cases to recover Costs by Law.

General Issue.

Treble Costs.

XII. And be it further enacted, That such of the new and additional Duties of Customs as shall arise in that Part of *Great Britain* called *England* shall be under the Management of the Commissioners of Customs 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 the Customs in *Scotland* for the time being.

Duties under  
Commissioners  
of Customs.

XIII. Provided always, and be it further enacted, That it shall be lawful for His Majesty, at any time when Parliament shall not be sitting, by His Order in Council to suspend the Operation of this Act as to any Duties or any Proportion or Part of any Duties granted by this Act under the Title or Description of Temporary or War Duties, for such Time as His Majesty shall think fit.

War Duties  
suspended.

XIV. And be it further enacted, That this Act, or any of the Provisions thereof, may be altered, amended or repealed by any Act or Acts to be made in this present Session of Parliament.

Act repealed,  
&c.

## TABLE (A.)

A TABLE of new and additional Duties of Customs payable on the Importation into Great Britain of the Goods, Wares and Merchandize therein enumerated or described.

	Permanent Duty.			Temporary or War Duty.		
	£	s.	d.	£	s.	d.
Goods, Wares and Merchandize (Wine and Silk excepted) being of the Growth, Produce or Manufacture of France, or of any Country, Place or Territory annexed to France, or under the Dominion of the Person or Persons exercising the Power of Sovereignty in France, for every Hundred-Pounds of the Produce and Amount of the permanent Duties of Customs due and payable thereon	-	-	-	66	13	4
Goods, Wares and Merchandize (Wine, Raw Silk, Sugar, Tea and Cotton Wool excepted) not being of the Growth, Produce or Manufacture of France, or of any Country, Place or Territory annexed to France, or under						

the

TABLE (A.) — continued.

	Permanent Duty.	Temporary or War Duty.
	£ s. d.	£ s. d.
the Dominion of the Person or Persons exercising the Power of Sovereignty in France, for every Hundred Pounds of the Produce and Amount of the permanent Duties of Customs due and payable thereon (a)	25 0 0	—
Silk (except Raw Silk) being of the Growth, Produce or Manufacture of France, or of any Country, Place or Territory annexed to France, or under the Dominion of the Person or Persons exercising the Power of Sovereignty in France, for every Hundred Pounds of the Produce and Amount of the permanent Duties of Customs due and payable thereon	25 0 0	—

(a) [*Barilla imported, additional Duty repealed, c. 105. § 6. post. Deals and Fir Timber, imported, and used in Mines in Cornwall and Devon, Drawback, c. 105. § 7. post. Iron, &c. imported, in what case not liable to this additional Duty, c. 105. § 3. post. Pearls imported, additional Duty repealed, and an ad valorem Duty imposed, c. 105. § 5. post.*]

TABLE (B.)

A TABLE of new and additional Duties of Customs payable on the Exportation from Great Britain of the Goods, Wares and Merchandize therein enumerated or described.

	Temporary or War Duty.
	£ s. d.
Hides, Foreign, of all Sorts, in the Hair, not tanned, tawed, curried, or in any way dressed, exported to France, or any Country or Place, or Territory annexed to France, or under the Dominion of the Person or Persons exercising the Power of Sovereignty in France (a)	0 9 4
Goods, Wares and Merchandize, of the Growth, Produce or Manufacture of Great Britain, for every Hundred Pounds of the Produce and Amount of the Temporary or War Duties of Customs due and payable thereon	50 0 0
Goods, Wares and Merchandize, not of the Growth, Produce or Manufacture of Great Britain, for every Hundred Pounds of the Produce and Amount of the Temporary or War Duties of Customs due and payable thereon	50 0 0

(a) [*Duty on Hides charged on the Hundred Weight, c. 105. § 1. post.*]  
 [*Drawback of 9s. 7½d. for every Hundred Weight of Carrot Tobacco exported, c. 105. § 4. post.*]

CAP.

## C A P. XXXIV.

An Act for granting to His Majesty additional Duties of Excise in *Great Britain*, on Tobacco and Snuff, and on *French Wines*.  
[15th April 1813.]

‘ Most Gracious Sovereign,

‘ WE Your Majesty’s most dutiful and loyal Subjects, the  
‘ Commons of the United Kingdom of *Great Britain* and  
‘ *Ireland*, in Parliament assembled, towards raising the necessary  
‘ Supplies to defray Your Majesty’s Public Expences, and making a  
‘ Permanent Addition to the Public Revenue, have freely and  
‘ voluntarily resolved to give and grant unto Your Majesty the several  
‘ additional Rates and Duties of Excise herein respectively men-  
‘ tioned;’ 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, throughout *Great Britain*, to and for the Use of  
‘ His Majesty, his Heirs and Successors, upon the several Goods,  
‘ Wares, Merchandize and Commodities mentioned and described in  
‘ the Schedules marked (A.) and (B.) respectively hereunto annexed,  
‘ the several Sums of Money and additional Duties of Excise as they  
‘ are respectively inserted, described and set forth in the said Schedules;  
‘ and that there shall be made, allowed and paid, for or in respect of  
‘ Goods, Wares, Merchandize and Commodities, for or in respect  
‘ whereof any additional Duty of Excise is † by this Act imposed shall  
‘ have been paid, the several Drawbacks of Excise as the same are also  
‘ respectively inserted, described and set forth in the Schedule marked  
‘ (C.) hereunto annexed; and also all such special Allowances as are  
‘ particularly directed by any Act or Acts of Parliament in force, at  
‘ and immediately before the passing of this Act, and the same respec-  
‘ tively shall commence and take Effect from the respective Day or  
‘ Days mentioned in the said Schedule, in cases where any special Date  
‘ or Dates is or are inserted therein, and in cases where no Date is  
‘ inserted, from and after the Thirtieth Day of *March* One thousand  
‘ eight hundred and thirteen.

Additional  
Duties.

† *Sic.*

II. And be it further enacted, That such of the Duties of Excise  
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 under  
Commissioners  
of Excise.

III. Provided always, and be it further enacted, That the new  
and additional Duties of Excise granted by this Act on Tobacco  
and *French Wines*, shall be charged on all Tobacco and *French Wine*  
imported into *Great Britain*, which shall have been warehoused, and  
shall have remained on the Thirtieth Day of *March* One thousand  
eight hundred and thirteen in Warehouses under His Majesty’s Locks,  
in pursuance or by the Authority of any Act or Acts of Parliament  
or other special Authority in force on or immediately before the said  
Thirtieth Day of *March*, although such Tobacco or *French Wines* may

Charged on  
Tobacco and  
*French Wine*  
warehoused  
before *March*  
30, 1813.

may have been imported before the said Thirtieth Day of *March* One thousand eight hundred and thirteen: Provided always, that such Duties shall not be payable on any such Tobacco or *French* Wines unless and until any such Tobacco or *French* Wines shall be taken out of any such Warehouse for the Purpose of being used or consumed in *Great Britain*.

Accounted for  
and paid as  
former Duties.

IV. And be it further enacted, That the several and respective Duties by this Act imposed shall be accounted for, cleared off, paid, satisfied and discharged by the Person or Persons liable to the accounting for, clearing off, Payment, Satisfaction or Discharge thereof, at such time and times, and in such manner as the Duties of Excise chargeable upon the like Goods, Wares, Merchandize and Commodities respectively, or upon any Person for or in respect thereof, were by any Act or Acts of Parliament in force immediately before the passing of this Act to be accounted for, cleared off, paid, satisfied or discharged.

Duties on specific  
Quantities  
to apply to  
greater or less  
Quantity.

V. And be it further enacted, That in all cases where Duties are imposed or Drawbacks allowed by this Act on any specific Quantity of Goods, Wares, Merchandize or Commodities, the same shall in every case be understood and deemed and taken to apply in the same Proportion and after the same Rate to any greater or less Quantity than such specific Quantity.

Dealers allowed  
to charge additional  
Duty.

VI. And whereas Contracts or Agreements may have been made before the passing of this Act by Dealers in the respective Goods, Wares, Merchandize or Commodities, upon which additional Duties are by this Act imposed, for such Goods, Wares, Merchandize or Commodities respectively, to be delivered after the Thirtieth Day of *March* One thousand eight hundred and thirteen; Be it therefore enacted, That such Dealers delivering such Tobacco or Snuff, or *French* Wine, after the Thirtieth Day of *March* One thousand eight hundred and thirteen, in pursuance of such Contracts or Agreements, 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 Goods, Wares, Merchandize or Commodities respectively, to the Price thereof, and shall be entitled by virtue of this Act to be paid for the same accordingly.

Duties levied  
and Drawbacks  
allowed as former  
Duties and  
Drawbacks.

VII. And be it further enacted, That the said several Sums of Money respectively inserted, described and set forth in the said Schedules hereunto annexed, marked (A.) and (B.) respectively, as the Duties of Excise, and the Drawbacks of the Duties of Excise set forth in the said Schedule marked (C.), upon the several and respective Goods, Wares, Merchandize or Commodities inserted therein, shall and may be respectively raised, levied, collected, answered, paid, recovered, adjudged, mitigated and allowed, in such and the like manner, and in or by any or either of the general or special means, ways or methods, by which the former Duties respectively, and Drawbacks of the Duties of Excise respectively, upon Goods, Wares, Merchandize or Commodities, of the same Sort or Kind respectively, were or might be raised, levied, collected, answered, paid, recovered, adjudged, mitigated or allowed; and the Goods, Wares, Merchandize or Commodities, so by this Act respectively made liable to the Payment of or chargeable with Duties of Excise, or entitled to Drawbacks of Duties of Excise, as respectively inserted, described and set forth in the said Schedules hereunto annexed, shall be and the same

same are hereby made subject to all and every the Conditions, Regulations, Rules, Restrictions and Forfeitures to which Goods, Wares, Merchandize or Commodities in general, and also to all and every the special Conditions, Rules, Regulations, Restrictions and Forfeitures respectively, to which the like Goods, Wares, Merchandize or Commodities respectively, were subject and liable by any Act or Acts of Parliament in force immediately before the passing of this Act relating to the Duties of Excise; and all and every Pain, Penalty, Fine or Forfeiture, of any nature or kind whatever, for any Offence whatever committed against or in breach of any Act or Acts of Parliament in force immediately before the passing of this Act, made for securing the Reveue of Excise, or for the Regulation and 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 Excise, and Drawbacks of Duties of Excise hereby charged and allowed, 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 or Forfeitures were particularly repeated and recited in the Body of this Act.

VIII. And be it further enacted, That in estimating the said additional Duties hereby imposed on *French Wine*, as being found upon the first actual Survey, by the proper Officer or Officers of Excise as hereinafter mentioned, in the Stock, Custody or Possession of any Dealer or Dealers in, or Seller or Sellers of Foreign Wine 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 *French 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 Tenth Day of *October* One thousand eight hundred and thirteen; one other Fourth Part thereof on the Fifth Day of *April* One thousand eight hundred and fourteen; one other Fourth Part thereof on the Tenth Day of *October* One thousand eight hundred and fourteen; and the remaining Fourth Part thereof on the Fifth Day of *April* One thousand eight hundred and fifteen.

IX. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to charge with any Duty, by virtue of this Act, any *French 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 *French Wine* in the Stock, Custody or Possession of any Dealer or Dealers in, or Seller or Sellers of Foreign Wine, unless such Dealer or Dealers in, or Seller or Sellers, shall have in his, her or their Stock, Custody or Possession, on such actual Survey as aforesaid, after the Thirtieth Day of *March* One thousand eight hundred and thirteen, a Quantity or Quantities of *French Wine* exceeding Sixty three Gallons, reckoning Five reputed Quart Bottles to a Gallon for all such Wine as shall be in Bottles.

X. Provided also, and be it further enacted, That every such Dealer or Dealers or Seller or Sellers of Foreign Wine who shall,

How Stock of Dealers in Wine estimated, and Duty paid.

Not to charge Duty unless Stock on Survey after 30th March shall exceed 63 Gallons.

On Payment of Duty by Off. 10, 1813, Allowance to Dealer.

on or before the said Tenth Day of *October* One thousand eight hundred and thirteen, have actually paid in Advance the whole of the said additional Duties by this Act imposed on any *French Wine* which shall have been found on the first actual Survey by the proper Officer or Officers of Excise, after the said Thirtieth Day of *March* One thousand eight hundred and thirteen, in his, her or their Stock, Custody or Possession as aforesaid, shall be entitled to an Allowance equal to One Third of such additional Duties so paid in Advance as aforesaid.

Fraudulently removing Wine.

XI. And be it further enacted, That if any Dealer or Dealers in Foreign Wine shall, for the Purpose of preventing the same being found in his, her or their Custody or Possession by the proper Officer or Officers of Excise, upon the first actual Survey of such Officer or Officers after the Thirtieth Day of *March* One thousand eight hundred and thirteen, clandestinely remove or carry away, or cause or suffer to be removed or carried away, any *French Wine*, or shall for the Purpose aforesaid, fraudulently hide or conceal, or cause or suffer to be hidden or concealed any such *French Wine*, then and in every such case the Dealer or Dealers so offending shall, for every such Offence, forfeit the Sum of One hundred Pounds; and the *French Wine* so removed, conveyed away, hidden or concealed, shall also be forfeited, and shall and may be seized by any Officer or Officers of Excise; and the Person or Persons in whose Custody or Possession any such *French Wine* shall be found, who shall not, before the Discovery thereof by an Officer or Officers of Excise, give Notice at the next Office of Excise of the Quantity of *French Wine*, to in his, her or their Custody or Possession, shall also forfeit the Sum of One hundred Pounds, to be sued for, recovered, levied and mitigated 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 at *Edinburgh*; and that one Moiety thereof 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.

Penalty.

Notice of Stock in hand.

Penalty.

Prize French Wine, Tobacco and Snuff liable.

XII. And be it further enacted, That all *French Wine*, Tobacco and Snuff, respectively taken and condemned as Prize, and sold by the Captors or their Agents, and which shall, from or after the said Thirtieth Day of *March* One thousand eight hundred and thirteen, be taken out of any Warehouse wherein the same shall have been secured to be consumed in this Kingdom, shall be subject and liable to the additional Duty by this Act imposed, for or in respect of *French Wine*, Tobacco or Snuff, as the case may require, respectively imported, and such additional Duty shall be paid and payable by such Persons and in such manner as the Duties are payable by Law.

Application of Duties.

XIII. And be it further enacted, That all the Monies arising by the new and additional Duties of Excise imposed by this Act (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, and shall be carried to and made Part of the Consolidated Fund of *Great Britain*; and such of the said Monies as shall arise from Duties on Wines shall be deemed to be an Addition made to the Revenue, for the Purpose of defraying the increased Charge occasioned by any Act passed or to be passed in the present Session



of Parliament for appropriating certain Monies to the Sinking Fund of Great Britain; and such of the said Monies as shall arise from Duties on Tobacco shall be deemed an Addition made to the Revenue, for the Purpose of defraying the Charge occasioned by the Loans made for the Service of the Year One thousand eight hundred and twelve.

XIV. And be it further enacted, That this Act may be altered, Act repealed, amended or repealed by any Act or Acts to be made in this present Session of Parliament.

### SCHEDULE (A.)

TOBACCO AND SNUFF.	Duties.
	£ s. d.
For every Pound Weight of Tobacco, of the Growth, Production or Manufacture of the Plantations or Dominions of Spain or Portugal, imported into Great Britain	0 0 4
For every Pound Weight of Tobacco, of the Growth or Production of His Majesty's Colonies, Plantations, Islands or Territories in America, or of the United States of America, imported into Great Britain	0 0 2
For every Pound Weight of Tobacco, of the Growth or Production of any of the Territories or Dominions of the Emperor of Russia, or of the Ottoman or Turkish Empire, imported into Great Britain	0 0 2
For every Pound Weight of Tobacco imported into Great Britain by the United Company of Merchants of England trading to the East Indies	0 0 2
For every Pound Weight of Snuff imported into Great Britain by the United Company of Merchants of England trading to the East Indies	0 0 5½
For every Pound Weight of Snuff imported into Great Britain from any British Plantation in America, or from the Spanish West Indies	0 0 2½
For every Pound Weight of Snuff imported into Great Britain from any other Place, not being Irish-manufactured Snuff imported directly from Ireland	0 0 3½
The said additional Duties to be paid by the Importers or Proprietors of all Tobacco and Snuff which shall have been imported, and for which the Duties chargeable on Tobacco and Snuff respectively shall not have been paid on or before the Thirtieth Day of March One thousand eight hundred and thirteen, or which shall be imported, and which (whether the same shall have been or shall be imported) shall not be duly exported to Parts beyond the Seas, directly from the Warehouses in which the same shall have been lodged, under the Rules and Regulations in that case made and provided.	
WINE.	
For every Tun of French Wine imported into Great Britain, and for which all the Duties payable thereon shall not be paid on or	N 2

before

SCHEDULE (A.) — *continued.*

WINE.	Duties.
before the Thirtieth Day of March One thousand eight hundred and thirteen, to be paid by the Importer thereof, a Duty of -	63 0 0
For every Tun of French Wine which shall have been found on the first actual Survey by the proper Officer or Officers of Excise, after the said Thirtieth Day of March One thousand eight hundred and thirteen, 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 -	63 0 0

## SCHEDULE (B.)

TOBACCO AND SNUFF.	Duties.
For every Pound Weight of unmanufactured Tobacco, of the Growth or Produce of Ireland, imported from thence into Great Britain -	£ s. d. 0 0 2
For every Pound Weight of Irish-manufactured Short-cut Tobacco, or Tobacco manufactured into what is commonly called or known by the Name of Spanish, imported from Ireland into Great Britain -	0 0 3
For every Pound Weight of Irish-manufactured Shag Tobacco, imported from Ireland into Great Britain -	0 0 3
For every Pound Weight of Irish-manufactured Roll Tobacco, imported from Ireland into Great Britain -	0 0 3
For every Pound Weight of Irish-manufactured Carrot Tobacco, imported from Ireland into Great Britain -	0 0 3
For every Pound Weight of every other Sort of Irish-manufactured Tobacco, not hereinbefore enumerated or described, imported from Ireland into Great Britain -	0 0 3
For every Pound Weight of Irish-manufactured Rappee Snuff, imported from Ireland into Great Britain -	0 0 2½
For every Pound Weight of Irish-manufactured Scotch Snuff, imported from Ireland into Great Britain -	0 0 3½
For every Pound Weight of Irish-manufactured Brown Scotch Snuff, imported from Ireland into Great Britain -	0 0 2½
For every Pound Weight of Irish-manufactured Tobacco Stalk Flower, imported from Ireland into Great Britain -	0 0 3½
For every Pound Weight of every other Sort or Kind of Irish-manufactured Snuff or Snuff Work not hereinbefore enumerated or described, imported from Ireland into Great Britain -	0 0 3½

SCHE-

## SCHEDULE (C.)

TOBACCO.	Drawbacks.
For every Pound Weight of Short-cut Tobacco, manufactured at any of the Ports of Great Britain into which Tobacco may lawfully be imported, or within Two Miles thereof, from Tobacco for which the Duties imposed in respect thereof shall have been paid, and exported as Merchandize by the Manufacturer thereof, from such Ports to Foreign Parts	£ s. d. 0 0 1 $\frac{1}{4}$
For every Pound Weight of Shag Tobacco so manufactured and exported	0 0 1 $\frac{1}{2}$
For every Pound Weight of Roll Tobacco so manufactured and exported	0 0 1 $\frac{1}{4}$
For every Pound Weight of Carrot Tobacco so manufactured and exported	0 0 1 $\frac{1}{2}$
<b>WINE.</b>	
For every Tun of French Wine imported into Great Britain, for which all the Duties imposed in respect thereof shall have been paid and which shall be duly exported as Merchandize from or out of the entered Stock of any Dealer or Dealers in, or Seller or Sellers of French Wine, and so in Proportion for any greater or less Quantity	63 0 0

## C A P. XXXV.

An Act to alter and amend several Acts passed in His present Majesty's Reign, relating to the Redemption of the National Debt; and for making further Provision in respect thereof.

[15th April 1813.]

WHEREAS the Total Capital of the Funded Debt of Great Britain in perpetual redeemable Annuities, existing on the Fifth Day of January One thousand seven hundred and eighty six, amounted to the Sum of Two hundred thirty eight millions two hundred thirty one thousand two hundred forty eight Pounds Five Shillings and Two pence Three Farthings: And whereas by several Acts passed in the Reign of His present Majesty; *videlicet*, an Act passed in the Twenty sixth Year of His Majesty, intituled *An Act for vesting certain Sums in Commissioners at the End of every Quarter of a Year, to be by them applied to the Reduction of the National Debt*; an Act passed in the Twenty seventh Year of His 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 Public 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*; an Act passed in the Thirty second Year of His Majesty, intituled

26 G. 3. c. 31.

27 G. 3. c. 13.

32 G. 3. c. 55.

42 G. 3. c. 71.

' *An Act to render more effectual an Act made in the Twenty sixth Year*  
 ' *of His present Majesty's Reign, intituled An Act for vesting certain*  
 ' *Sums in Commissioners at the End of every Quarter of a Year, to be*  
 ' *by them applied to the Reduction of the National Debt; and to direct*  
 ' *the Application of an additional Sum to the Reduction of the said Debt*  
 ' *in case of future Loans; and an Act passed in the Forty second*  
 ' *Year of His Majesty, intituled An Act to amend and render more*  
 ' *effectual Two Acts passed in the Twenty sixth and Thirty second Years*  
 ' *of the Reign of His present Majesty, for the Reduction of the National*  
 ' *Debt; various Provisions were made for the gradual Reduction of*  
 ' *the said Debt existing on the Fifth Day of January One thousand*  
 ' *seven hundred and eighty six, and of the Public Debt since con-*  
 ' *tracted: And whereas by virtue of the said several Acts, the Sum*  
 ' *of Two hundred thirty eight millions three hundred and fifty*  
 ' *thousand one hundred forty three Pounds Eighteen Shillings and*  
 ' *One Penny of Funded Capital of the said Debt had, on or before*  
 ' *the First Day of March One thousand eight hundred and thirteen,*  
 ' *been actually purchased by the Commissioners for the Reduction of*  
 ' *the National Debt, or had been transferred to the said Commissioners*  
 ' *for the Redemption of Land Tax, or the Purchase of Life An-*  
 ' *nuities; and which said Sum so purchased or transferred to the*  
 ' *said Commissioners as aforesaid, exceeds the Total Capital of the*  
 ' *perpetual redeemable Annuities of the Funded Debt of Great*  
 ' *Britain, existing on the Fifth Day of January One thousand*  
 ' *seven hundred and eighty six, by the Sum of One hundred and*  
 ' *eighteen thousand eight hundred ninety five Pounds Twelve*  
 ' *Shillings and Ten pence Farthing: And whereas the Public*  
 ' *Burthens may at this Period be greatly alleviated, and the whole*  
 ' *of the National Debt now existing may nevertheless be redeemed*  
 ' *within Forty five Years from the Periods of their respective Loans*  
 ' *by which the same was created; and the Reduction thereof may be*  
 ' *accelerated, if the Provisions of the said recited Acts were altered,*  
 ' *varied and amended, in the manner hereinafter expressed; Be it*  
 ' *therefore 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, for the Purposes of this Act, an*  
 ' *Amount of Public Debt equal to the whole Capital of the Public*  
 ' *Debt in perpetual redeemable Annuities, existing on the said Fifth*  
 ' *Day of January One thousand seven hundred and eighty six, shall*  
 ' *be deemed to be satisfied and discharged; and so much of the*  
 ' *Capital Stock so purchased and transferred as aforesaid, and standing*  
 ' *in the Names of the said Commissioners in the Books of the Governor*  
 ' *and Company of the Bank of England, as Parliament, by an Act or*  
 ' *Acts to be passed in the present Session, shall or may direct, shall be*  
 ' *cancelled, in like manner as if the same had been transferred to the*  
 ' *said Commissioners for the Redemption of Land Tax, pursuant to the*  
 ' *Provisions of the several Acts thereunto relating, in order to make*  
 ' *Provision for the Charge of any Addition to be made to the Public*  
 ' *Funded Debt of Great Britain, by way of Loan, or in any other*  
 ' *manner, for the Service of the present Year; and when and so soon*  
 ' *as such a further Amount of the Capital Funded Debt of Great*  
 ' *Britain shall have been purchased by the said Commissioners, or*  
 ' *transferred to them for the Redemption of Land Tax, or the*  
 ' *Purchase*

Amount of  
 Public Debt,  
 equal to whole  
 Debt existing on  
 Jan. 5, 1786,  
 deemed satisfied,  
 and so much  
 thereof as Parlia-  
 ment may direct  
 cancelled, to de-  
 fray Charge of  
 Loan.

When further  
 Amount of Debt  
 redeemed, pro-  
 ducing a certain  
 Dividend, Com-

Purchase of Life Annuities, as, together with the Amount so already purchased or transferred as aforesaid, shall have produced an Interest or yearly Dividend equal in Amount to the whole Annual Charge in perpetual redeemable Annuities of the Public Debt of *Great Britain*, existing on the Fifth Day of *January* One thousand seven hundred and eighty six, the said Commissioners shall thereupon certify and declare the same to the Lord High Treasurer, or Commissioners of the Treasury for the time being, who shall cause the said Certificate and Declaration to be published in the *London Gazette*, and to be laid before Parliament (if Parliament shall be then sitting), but if Parliament shall not be then sitting, then within Fourteen Days after the next Meeting of Parliament; and so from time to time whenever such a further Amount of the Capital Funded Debt of *Great Britain* shall have been purchased or transferred as aforesaid, as shall be equal to the whole Capital, and shall have produced an Interest or yearly Dividend equal in Amount to the whole Annual Charge in perpetual redeemable Annuities, of each Loan contracted since the said Fifth Day of *January* One thousand seven hundred and eighty six; the said Commissioners shall from time to time thereupon in like manner certify and declare the same to the Lord High Treasurer or Commissioners of the Treasury for the time being, who shall in like manner cause every such Certificate and Declaration to be published in the *London Gazette*, and to be laid before Parliament; and whenever any such Certificate and Declaration shall have been so made, published and laid before Parliament as aforesaid, the Amount of Public Debt to which such Certificate and Declaration shall relate, shall from time to time be deemed and taken to be wholly satisfied and discharged, and an equal Amount of Capital Stock standing in the Names of the said Commissioners, in the Books of the Governor and Company of the Bank of *England*, or of the *South Sea Company*, shall be considered to be redeemed by Parliament, and shall from time to time be cancelled as above mentioned, at such times and in such Proportions as shall be directed by any Act or Acts of Parliament to be passed for that Purpose, in order to make Provision for the Charge of any Addition to be made to the Public Funded Debt of *Great Britain*, by way of Loan, or in any other manner; any thing in the said recited Act of the Forty second Year of His present Majesty to the contrary thereof in any wise notwithstanding: Provided nevertheless, that out of any Capital Stock to be cancelled as aforesaid, shall always be reserved such Sum or Sums as shall produce a yearly Interest or Dividend adequate to make Provision for the Payment of all Life Annuities which may then be payable out of the Sinking Fund of *Great Britain*, in case no sufficient Reservation of Stock shall at any time theretofore have been made for this Purpose.

II. Provided always, and be it further enacted, That in case and whenever any such Capital Stock which may have been declared to be satisfied and discharged as aforesaid, or any Part of such Capital Stock, shall not be actually cancelled in virtue of any Act or Acts of Parliament to be passed for such Purpose, then and in every such case the Dividends of all such Capital Stock as may not have been cancelled, shall in the mean time and until the same shall be so actually cancelled, continue to be issued at the Receipt of the Exchequer, and be placed to the Account of the said Commissioners for the Reduc-

missioners to certify same to Treasury, &c.

Whereupon so much Stock shall be cancelled as may be adequate to Charge of Loan, &c.

Dividends of Capital Stock declared satisfied but not actually cancelled, shall continue to be applied to Reduction of National Debt.

duction of the National Debt, at the Bank of *England*, and shall be applied by them in the Redemption of the National Debt, in such and the same manner in all respects as the Dividends of any other Capital Stock standing in their Names are applicable for that Purpose.

Stock not cancelled to such an Extent as to prevent entire Redemption in 45 Years.

III. Provided also, and be it further enacted, That any such Capital Stock as aforesaid shall never be deemed to be satisfied or discharged, or be cancelled by Parliament, in such a manner or to any such Extent, as might not leave in the Hands of the said Commissioners a Sum sufficient, together with the other Funds or Sums of Money appropriated to them, to redeem or purchase an Amount of redeemable Public Annuities, equal to such Part of the whole of the redeemable Annuities of the Public Debt of *Great Britain*, as existed previous to the Twenty second Day of *June* One thousand eight hundred and two, within Forty five Years from the said Twenty second Day of *June* One thousand eight hundred and two; nor to redeem or purchase an Amount of redeemable Public Annuities, equal to such Part thereof as hath been or shall be created subsequent to the said Twenty second Day of *June* One thousand eight hundred and two, within Forty five Years from the respective Periods of the Creation of such redeemable Public Annuities respectively.

Quarterly Sums issued from Exchequer for Redemption of National Debt, to continue to be so issued.

IV. And, in order to make more effectual Provision for the Redemption of the Public Debt within the Period of Forty five Years from the time of its Creation, conformably to the Intent and Meaning of the said recited Acts and of this Act, be it further enacted, That all and every the quarterly Sum and Sums which, by virtue of the said recited Acts of the Twenty sixth, Twenty seventh, Thirty second and Forty second Years of His present Majesty's Reign, or any of them, are directed to be issued at the Receipt of the Exchequer to the Governor and Company of the Bank of *England*, on account of the Commissioners for the Reduction of the National Debt, shall from time to time continue to be so issued, and shall be applied by the said Commissioners pursuant to the Directions, and under and according to the Restrictions and Provisions of the said recited Acts, either in Payment for the Redemption or in the Purchase of the several redeemable Public Annuities of *Great Britain*, until the whole of the perpetual redeemable Annuities, now, or which during the present War may hereafter become charged upon the Public Funds of *Great Britain*, shall have been completely redeemed or purchased within Forty five Years from the Creation thereof as aforesaid; any thing in the said recited Acts of the Twenty sixth and Thirty second Years of His said Majesty's Reign, to the contrary thereof in any wise notwithstanding.

When Sums raised by Loan or otherwise for Service of any Year shall exceed a certain Amount, a new Fund shall be provided.  
32 G. 3. c. 55.  
§ 3. 4.

V. And be it further enacted, That whenever the Amount of the Sum to be raised by way of Loan, or in any other manner, which may create an Addition to the Public Funded Debt of *Great Britain*, in the present or any future Year, shall exceed the Sum which on the First Day of *February* shall have been or shall be estimated to be applicable in the same Year to the Reduction of the National Debt, then and in every such case an annual Sum, amounting to One hundredth Part of the Capital Stock created by so much only of the Monies raised by way of Loan, or in any other manner as aforesaid, in the Year, as shall be equal to the Sum so estimated to be applicable to the Reduction of the National Debt, within the same Year, shall

be

be issued at the Receipt of the Exchequer to the Account of the said Commissioners, in the manner directed by the said recited Act of the Thirty second Year of His present Majesty; and with respect to the Excess of the Monies which may be so raised in any Year by way of Loan, or in any other manner as aforesaid, above the estimated Sum applicable to the Reduction of the National Debt, within the same Year, such an annual Sum as shall be equal to One-half of the Interest of such Excess, shall be set apart out of the Monies composing the Consolidated Fund, and shall in like manner be issued, at the said Receipt of the Exchequer, to the Governor and Company of the Bank of *England*, to be by them placed to the Account of the said Commissioners.

VI. And whereas Provision was made by Parliament, in the Forty second Year of His present Majesty's Reign, for paying out of the Consolidated Fund of *Great Britain*, the Interest and Charges of the Capital Stock created in respect of several Loans, raised by virtue of divers Acts passed in the Thirty eighth, Thirty ninth, Thirty ninth and Fortieth and Forty second Years of His said Majesty, amounting to the Sum of Eighty six millions seven hundred and ninety six thousand three hundred Pounds; but no Provision was then made for the Issue of an annual Sum equal to One hundredth Part of the said Capital Stock, for the Redemption thereof: And whereas it is expedient now to make Provision for that Purpose; Be it therefore enacted, That in Addition to any Sums which by virtue of the said recited Acts and of this Act, shall be set apart out of the Consolidated Fund of *Great Britain*, for the Redemption of the National Debt, the further annual Sum of Eight hundred and sixty seven thousand nine hundred and sixty three Pounds shall from time to time be set apart and issued, at the Receipt of the Exchequer, out of the said Consolidated Fund by equal Quarterly Payments, to the Governor and Company of the Bank of *England*, to be by them placed to the Account of the said Commissioners; the First of the said Quarterly Payments to be issued on the Fifth Day of *July* One thousand eight hundred and thirteen.

VII. And be it further enacted, That the said Commissioners for the Reduction of the National Debt shall from time to time apply all such respective annual Sums as shall by virtue of this Act be issued or granted, and be placed to their Account in the Books of the Governor and Company of the Bank of *England*, and also the Dividends payable on any Stock redeemed or purchased therewith, in the Redemption or Purchase of any such redeemable Public Annuities, as they may from time to time judge most expedient, in such and the like manner as by virtue of the said recited Acts and this Act any other Sums issued to them, or placed to their Account for the Redemption of the National Debt, are applicable; and all and every the Powers and Authorities, Regulations and Provisions contained in any such Acts, respecting the Application of Monies issued or placed to the Account of the said Commissioners, shall be valid and effectual, with respect to the Monies issued to them, or placed to their Account, by virtue of this Act (in so far as the same are applicable, and except where the same are herein expressly varied), as fully as if the same were particularly re-enacted therein.

[See c. 95. *post.*]

Sum to be issued from Exchequer as an Addition to Sinking Fund.

How Commissioners to apply Monies issued to them by virtue of Act, to Reduction of National Debt.

CAP.

## C A P. XXXVI.

An Act to amend an Act, passed in the Forty third Year of His present Majesty, for regulating the Vessels carrying Passengers to His Majesty's Plantations and Settlements Abroad. [15th April 1813.]

43 G. 3. c. 36.  
§ 11.

WHEREAS an Act was passed in the Forty third Year of the Reign of His present Majesty, intituled *An Act for regulating the Vessels carrying Passengers from the United Kingdom to His Majesty's Plantations and Settlements Abroad, or to Foreign Parts, with respect to the Number of such Passengers*: And whereas it is enacted by the said Act, that every Ship or Vessel other than a *British* Ship or Vessel, owned, navigated, and registered according to Law, shall be deemed and taken to be of such Tonnage or Burthen as shall be ascertained by the Oath of the Master or other Person having or taking the Command thereof, taken before the Collector or other Chief Officer of the Customs at the Port from whence such Ship or Vessel shall be cleared out: And whereas it is expedient to provide a further Remedy for ascertaining the Tonnage of any such Ship or Vessel: 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 the Collector or other Chief Officer of the Customs at such Port, shall have any Doubt as to the Tonnage of any such Ship or Vessel as sworn to by such Master or other Person, or shall be required by any Person or Persons having such Doubt, it shall and may be lawful for such Collector or other Chief Officer, and he is hereby directed to cause such Ship or Vessel to be admeasured in the manner in which a *British* Ship is admeasured for the Purpose of being registered, and such Ship or Vessel, upon being so admeasured, shall be deemed and taken to be of the Tonnage or Burthen ascertained by such Admeasurement, notwithstanding the Oath of any such Master or other Person.

Vessels admeasured in case of Doubt as to Tonnage.

43 G. 3. c. 36.  
§ 12.

II. And whereas it is provided by the said Act, that nothing therein contained should extend or be deemed or construed to extend to Ships or Vessels in the Service of His Majesty, or of His Majesty's Postmaster General, or of the Customs or Excise in *Great Britain* and *Ireland* respectively, or of the *East India* Company, and it is expedient that this Provision should be extended to Ships or Vessels in the Service of the Governor and Company of Adventurers of *England* trading into *Hudson's Bay* under certain Regulations; Be it therefore enacted, That, from and after the passing of this Act, nothing in the said recited Act contained shall extend, or be deemed or construed to extend to any Ship or Vessel in the Service of the Governor and Company of Adventurers of *England* trading into *Hudson's Bay*, provided such Ship or Vessel shall not carry more than Twenty Passengers besides the Crew; and if any such Ship or Vessel shall carry more than Twenty Passengers, provided a Licence shall be granted by His Majesty in Council in manner herein directed for such Ship or Vessel to carry more than Twenty Passengers, specifying the Number and Description of such Passengers: Provided nevertheless, that it shall and may be lawful for

Vessels of *Hudson's Bay* Company exempted, not carrying more than Twenty Passengers.



for any Ship or Vessel in the Service of the said Governor and Company to sail without such Licence, subject to the Provisions of the said recited Act, if the said Governor and Company shall think fit.

III. And be it enacted, That when it is intended that any such Ship or Vessel shall carry a greater Number than Twenty Passengers, it shall and may be lawful for the said Governor and Company of Adventurers trading into *Hudson's Bay*, and they are hereby required to lay before His Majesty in Council a Plan of the Interior of such Ship or Vessel, with a Statement specifying the Dimensions of that Part of such Ship or Vessel which is to be allotted to the Use of the Passengers, and the manner in which it has been fitted up for their Accommodation, as also the Number and Description of Passengers to be received on board, and thereupon a Licence by His Majesty in Council shall be granted for the Purpose of enabling the said Governor and Company of Adventurers trading into *Hudson's Bay*, to put on board and to convey to their Settlements adjoining to *Hudson's Bay* the specified Number of Passengers so described: Provided that such Passengers being full grown Men do not exceed the Number of Infantry usually conveyed in His Majesty's Transport Service, for a similar Voyage on board of a Vessel possessing similar Accommodations; or provided that such Passengers not being full grown Men are of such a Description that the specified Number of such Passengers may be equally well accommodated in the Space which would be required for such Number of Infantry as aforesaid; and upon such Licence being granted, it shall and may be lawful for the said Governor and Company to put on board such Ship or Vessel, and to convey therein such Passengers to the Settlements of the said Governor and Company adjoining to *Hudson's Bay* without being subject to the Regulations of the said recited Act; any thing in the said recited Act to the contrary notwithstanding.

If such Vessels be intended to carry a greater Number, a Plan of Interior laid before His Majesty in Council, &c.

### C A P. XXXVII.

An Act to amend an Act of the Twenty eight Year of His present Majesty, for allowing the Importation of Rum or other Spirits from His Majesty's Colonies or Plantations in the *West Indies*, into the Province of *Quebec*, without Payment of Duty.

[15th April 1813.]

WHEREAS it is expedient to amend an Act passed in the Twenty eight Year of the Reign of His present Majesty, intituled *An Act to allow the Importation of Rum or other Spirits from His Majesty's Colonies or Plantations in the West Indies into the Province of Quebec, without Payment of Duty, under certain Conditions and Restrictions;* 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 First Day of *September* One thousand eight hundred and thirteen, the Value of the Rum or other Spirits admitted to an Entry under the said Act, and the Value of the Cargo of Lumber or Provisions, Horses or Neat Cattle loaded in the said Province under the said Act, shall respectively be estimated and computed according to the Valuations contained in the Schedule annexed to this Act.

28 G. 3. c. 39.

How Valuations of Rum and Car-goes under re-cited Act, computed.

II. Pro-

Privy Council  
may alter such  
Valuations.

II. Provided always, and be it further enacted, That it shall and may be lawful for His Majesty, by and with the Advice of His Privy Council, by Order or Orders to be issued and published from time to time, to alter the Valuations and Articles contained in the said Schedule whenever it shall appear necessary or proper upon any Representation or Report made by the Governor and Council of the said Province.

The SCHEDULE mentioned and referred to in this Act.

		Sterling.	
		£ s. d.	
Flour, 1st Sort	-	2	per Barrel of 1 cwt. 3 qrs.
Ditto, 2d Sort	-	1 17 6	Ditto.
Biscuit	-	1	per Cwt.
Wheat	-	5	} per Bushel.
Pease	-	4 6	
Oats	-	2	
Barley	-	3	} per Bushel.
Flax Seed	-	5	
Potatoes	-	1 8	
Indian Corn	-	4 6	} per Tierce.
Salted Beef	-	4 10	
Ditto	-	3	
Salted Pork	-	6 15	per Tierce.
Ditto	-	4 10	per Barrel.
Butter	-	10	per lb.
Soap	-	7	per lb.
Mould Candles	-	1 2	} per lb.
Dipped Ditto	-	1 1	
Salmon	-	2 10	per Barrel.
Ditto	-	3 15	per Tierce.
Herrings and Allwives	-	1	per Barrel.
Shad Fish	-	1 5	per Ditto.
Dry Cod Fish	-	16	per Cwt.
Seal, Porpoise and Cod Oil	-	7	per Hhd. of 63 Galls.
Canadian Porter	-	3	} per Ditto.
Ditto Burton Ale	-	3 15	
Ditto Mild Ditto	-	3	
Onions	-	1	per Thousand.
Essence of Spruce	-	1 3	per lb.
Oak Timber squared	-	1	per Cubic Foot.
Ditto Plank 3 to 4 Inches thick	-	5	per Superficial Foot.
Ditto 1½ to 2 Inches thick	-	3	per Ditto.
Poncheon Staves 3½ Feet long 4 Inches broad and 1 Inch thick	-	10	per 1,200 Pieces.
Poncheon Heading 2½ Feet long 5 to 6 Inches broad and 1 Inch thick	-	10	per Thousand.
Pine Timber squared	-	4	per Cubic Foot.
Pine Boards 12 Feet long and upwards and 1 Inch thick	-	2 15	per Thousand Superficial Feet.
Ditto 10 Feet long and 1 Inch thick	-	2 5	per Hundred Boards.
Ditto - - Ditto 2 Inches thick	-	3 7 6	Ditto.

SCHEDULE—*continued.*

		Sterling.		
		£ s. d.		
Wooden Hoops	12 Feet long	5	—	per Thousand Hoops.
Ditto	14 Ditto	5	10	Ditto.
Ditto	10 Ditto	4	—	Ditto.
Ditto	7 Ditto	2	10	Ditto.
Shingles	-	—	15	per Thousand.
Puncheon Packs	-	—	12	each.
Bar Iron	-	1	10	per Cwt.
Horses	-	15	—	} per Head.
Horned Cattle	-	8	—	
Sheep	-	—	15	
Turkeys	-	—	2	6
Windward and Leeward Island Rum	-	—	1	9 per Gallon.
Jamaica	-	—	2	Ditto.

## C A P. XXXVIII.

An Act for regulating the Exportation of Corn and other Articles to *Newfoundland, Nova Scotia, the Bay of Chaleur, and the Coast of Labrador.* [15th April 1813.]

WHEREAS by an Act 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 Exportation of Corn and other Articles is allowed to *Newfoundland, Nova Scotia, the Bay of Chaleur and the Coast of Labrador, from certain Ports in certain Quantities as described in the Table marked C. in the said Act, at the time when the general Exportation of Corn and other Articles is prohibited by the said Act*: And whereas it is now judged that such Supply of Corn and other Articles might be more conveniently provided, if instead of the certain Ports and certain Quantities specified in the said Table, the Exportation thereof was allowed from such Ports and in such Quantities from each Port as shall from time to time be directed by the Lords of His Majesty's Privy Council appointed for the Consideration of all Matters relating to Trade and Foreign Plantations; 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, the whole Quantity of Corn and other Articles allowed by the said Act according to the said Table marked (C.) to be exported to *Newfoundland, Nova Scotia, the Bay of Chaleur and the Coast of Labrador, shall be exported from such Ports and in such Quantities from each Port as shall be directed by the Lords of His Majesty's Privy Council appointed for the Consideration of all Matters relating to Trade and Foreign Plantations and not otherwise*; any thing in the said Act to the contrary notwithstanding.

31 G. 3. c. 30.

Table C.

Articles specified and allowed to be exported to Newfoundland, &c. to be exported as Privy Council shall direct.

C A P.

## C A P. XXXIX.

An Act to continue, until the Twenty fifth Day of *March* One thousand eight hundred and fourteen, several Laws relating to the Transportation of Felons and other Offenders to temporary Places of Confinement in *England* and *Scotland*.

[15th April 1813.]

WHEREAS the Laws hereinafter mentioned have by Experience been found useful and beneficial, and it is expedient that the same should be further continued; 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 so much of an Act made in the Nineteenth Year of the Reign of His present Majesty, intituled *An Act to explain and amend the Laws relating to the Transportation, Imprisonment and other Punishment of certain Offenders*, as relates to Transportation beyond the Seas; and also so much of an Act made in the Twenty fourth Year of the Reign of His present Majesty, intituled *An Act for the effectual Transportation of Felons and other Offenders, and to authorize the Removal of Prisoners in certain cases, and for other Purposes therein mentioned*, as extends to authorize the Removal of Offenders to temporary Places of Confinement; which Acts were amended and continued by Five other Acts, of the Twenty eighth, Thirty fourth, Thirty ninth, Forty second and Forty sixth Years of the Reign of His present Majesty, until the Twenty fifth Day of *March* One thousand eight hundred and thirteen; shall be and the same is hereby further continued from the said Twenty fifth Day of *March* until the Twenty fifth Day of *March* One thousand eight hundred and fourteen.

19 G. 3. c. 74.  
§ 1, 2.  
24 G. 3. Sess. 2.  
c. 56. § 6.

continued.

II. And be it further enacted, That so much of an Act made in the Twenty fifth Year of the Reign of His present Majesty, intituled *An Act for the more effectual Transportation of Felons and other Offenders in that Part of Great Britain called Scotland, and to authorize the Removal of Prisoners in certain cases*, as authorizes the Removal of Offenders to temporary Places of Confinement, which was to continue in force until the First Day of *June* One thousand seven hundred and eighty seven, and from thence to the End of the then next Session of Parliament, and which was revived and continued by Four Acts of the Thirty fourth, Thirty ninth, Forty second and Forty sixth Years of His present Majesty's Reign, until the Twenty fifth Day of *March* One thousand eight hundred and thirteen, shall be and the same is hereby further continued from the said Twenty fifth Day of *March* until the Twenty fifth Day of *March* One thousand eight hundred and fourteen.

25 G. 3. c. 46.  
§ 4.

continued.

Act altered, &c.

III. And be it further enacted, That this Act may be altered, amended or repealed by any Act or Acts to be passed in this Session of Parliament.

C A P.

## C A P. XL.

An Act to repeal so much of several Acts passed in *England* and *Scotland* respectively, as empowers Justices of the Peace to rate Wages, or set Prices of Work, for Artificers, Labourers or Craftsmen.

[15th April 1813.]

WHEREAS an Act passed in the Fifth Year of the Reign of Her late Majesty Queen Elizabeth, intituled *An Act containing divers Orders for Artificers, Labourers, Servants of Husbandry or Apprentices*: And whereas another Act passed in the First Year of the Reign of His late Majesty King James the First, intituled *An Act made for the Explanation of the Statute made in the Fifth Year of the late Queen Elizabeth's Reign, concerning Labourers*: And whereas an Act passed in the Twenty second Parliament of His Majesty King James the First in *England* and the Sixth of *Scotland*, intituled *Anent the Justices for keeping His Majesty's Peace, and their Constables*: And whereas another Act passed in *Scotland*, in the First Parliament of His Majesty King Charles the Second, intituled *Commission and Instruction to the Justices of the Peace and Constables*: And whereas it is expedient, that the Powers given by the said Acts, and by various other Acts passed in the Parliaments of *Scotland*, to Justices of the Peace and Magistrates of Cities and Boroughs, to rate Wages or fix Prices for Work, for Artificers, Labourers and Craftsmen, should be repealed: 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 so much of the said recited Acts, and of each of them, or of any other Act of Parliament in force in *Scotland*, as authorizes and empowers any Justices of the Peace or Magistrates of Cities and Burghs to rate Wages or fix Prices of Work for Artificers, Labourers and Craftsmen, shall be and the same is hereby repealed; and all Orders heretofore made by any Justice or Justices of the Peace or Magistrates, in *England* or *Scotland* respectively, under the Authority of the said recited Acts, or any or either of them, for or in relation to the rating any Wages, or settling or fixing any Prices of Work to be done or performed by any Artificers, Labourers or Craftsmen, or Servants, shall be and the same are hereby declared to be void and of none Effect; any thing in the said Acts, or any or either of them, to the contrary notwithstanding.

[See 5 El. c. 4. § 16—19.]

5 Eliz. c. 4. § 15.

1 Jac. 1. c. 6. § 8.

Scotch Acts,  
22d Parliament,  
Jac. 1.  
1st Parliament,  
Car. 2.

Empowering  
Magistrates to  
fix Wages, re-  
pealed.

Orders made by  
Magistrates  
under such Acts  
repealed.

## C A P. XLI.

An Act for granting Annuities to satisfy certain Exchequer Bills; and for raising a Sum of Money by Debentures for the Service of *Great Britain*.

[1st May 1813.]

Most Gracious Sovereign,  
WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom, in Parliament assembled, being desirous of making Provision to satisfy the Principal Sums contained in certain Exchequer Bills now outstanding, to the Amount

‘ Amount of Twelve Millions Sterling, have resolved, that all  
 ‘ Persons interested in or entitled unto certain Exchequer Bills  
 ‘ should be entitled, in respect of the Principal Sums contained  
 ‘ therein, to such Capital Stock in Annuities as are hereinafter  
 ‘ mentioned, and should also be entitled to Debentures on the Terms  
 ‘ and Conditions hereinafter expressed;’ 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 every Person in-  
 terested in or entitled unto any Exchequer Bill or Bills dated  
 between the First Day of *March* One thousand eight hundred and  
 twelve, and the Thirty first Day of *March* One thousand eight  
 hundred and thirteen, who shall between the Seventh Day of *April*  
 One thousand eight hundred and thirteen and the Tenth Day of *April*  
 One thousand eight hundred and thirteen, both inclusive, have carried  
 the same to the Office of the Paymasters of Exchequer Bills, unless  
 the said Principal Sum of Twelve Millions Sterling shall have been  
 sooner subscribed at the said Office in such Exchequer Bills, shall be  
 paid the Interest that shall have become due thereupon to the Twenty  
 sixth Day of *April* One thousand eight hundred and thirteen  
 inclusive, in Money, as soon after the said Twenty sixth Day of *April*  
 One thousand eight hundred and thirteen, as can conveniently be  
 done, and shall have in Exchange for such Exchequer Bills, from  
 such Paymasters, Certificates to the Governor and Company of the  
 Bank of *England*, expressing the Principal Sum contained in such  
 Bill or Bills, entitling the Holders of such Exchequer Bills, in respect  
 of the Amount of the Principal Sums contained therein, to the Sum of  
 One hundred and fifteen Pounds Ten Shillings Capital Stock in An-  
 nuities after the Rate of Five Pounds *per Centum per Annum*, to com-  
 mence from the Fifth Day of *January* One thousand eight hundred  
 and thirteen for each One hundred Pounds contained in such last men-  
 tioned Certificates, and so in Proportion for any greater Sum; and  
 that all Persons interested in or entitled unto such Exchequer Bills as  
 aforesaid shall, by having delivered the same between the respective  
 Days aforesaid, into the said Office of Paymasters of Exchequer Bills,  
 be deemed to have accepted of the aforesaid Terms; which said An-  
 nuities shall be paid and payable at the Bank of *England*, at the times  
 and in the manner herein mentioned: Provided always, that the  
 Amount of the Principal Sums contained in such Exchequer Bills, to  
 be exchanged for Certificates in pursuance of this Act, shall not exceed  
 the Sum of Twelve Millions Sterling.

II. And be it further enacted, 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 the same to such  
 Paymaster of Exchequer Bills; and such Infant or Infants, upon  
 such Guardian or Guardians, Trustee or Trustees, delivering up such  
 Bill or Bills, shall be entitled to such Certificates as aforesaid, and  
 shall also be entitled to the Annuities 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

Holders of cer-  
 tain Exchequer  
 Bills carrying  
 same to Exche-  
 quer shall receive  
 Certificates to  
 the Bank entit-  
 ling them to cer-  
 tain Annuities.

Proviso.

Guardians may  
 deliver up Bills  
 for Benefit of  
 Infants who shall  
 be entitled to  
 Annuities.

of such Infant or Infants be expressed in such Certificate or Certificates; any thing herein contained to the contrary in any wise notwithstanding.

III. And be it further enacted, That it shall and may be lawful to and for the proper Officer or Officers, at the Office of the Paymasters of Exchequer Bills for the time being, to take in and receive from all and every Person and Persons Natives or Foreigners, Bodies Politic or Corporate, who is, are, or shall be possessed of, interested in, or entitled unto any such Exchequer Bills, all the said Exchequer Bills, to the Amount of Twelve Millions Sterling, as aforesaid, which any such Person or Persons, Bodies Politic or Corporate, shall, between the respective Days aforesaid, have delivered to such Officer or Officers; and the said Paymasters of Exchequer Bills are hereby authorized and required, upon Receipt of any such Bills, to mark and cancel the same, and to pay the Interest that shall have become due thereupon to the said Twenty sixth Day of April One thousand eight hundred and thirteen, and to make forth and sign the Certificates herein directed to be made out, in lieu of the Principal Sums contained in the said Bills, and to deliver the same to the Parties entitled thereto as soon after the passing of this Act as conveniently can be done; and the said Paymasters of Exchequer Bills are hereby authorized and required to deliver to the Governor and Company of the Bank of England the Cheques or Counterfoils of such Certificates.

Exchequer Office to receive and cancel such Exchequer Bills on granting such Certificates.

IV. And be it further enacted, That all and every Person and Persons, Bodies Politic and Corporate, who shall have delivered any such Exchequer Bill or Bills as aforesaid, upon producing such Certificates as are hereby directed to be made forth by the said Paymasters of Exchequer Bills in lieu of the Principal Sums contained in such Bill or Bills, shall, for every Sum of One hundred Pounds contained therein, and so in Proportion for any greater Sum, have and be entitled to the Capital Stock in Annuities, hereinbefore mentioned, which shall be in lieu of such Exchequer Bills, and the Annuities thereon shall be payable Half-yearly at the Bank of England, on the Fifth Day of July and the Fifth Day of January in every Year; the First Payment to become due on the Fifth Day of July One thousand eight hundred and thirteen; 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 true Tenor and 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.

Certificates to entitle to certain Annuities.

† *Sic.*

Foreign Attachment.

V. And be it further enacted, That all the Annuities hereby granted shall be charged and chargeable upon and payable out of the Consolidated Fund of Great Britain, 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 shall be subject to Redemption by Parliament, in manner hereinafter mentioned.

Annuities payable out of Consolidated Fund.

VI. And be it further enacted, That all such Certificates as shall be delivered in manner hereinbefore mentioned, shall be assignable by Indorsement thereupon, made at any time before the First Day of

Certificates may be assignable before August 1, 1813.

*August* One thousand eight hundred and thirteen and no longer, and no such Certificate or Assignment thereupon shall be charged with any Stamp Duties whatever.

Bank, on receiving Certificates, to give Credit in Books for Capital Stock therein mentioned; which Stock may be transferred.

VII. And be it further enacted, 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, in respect of 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 Sum, forthwith to give Credit in a Book or Books to be prepared for that Purpose, for the Capital Stock hereinbefore mentioned, in the said Annuities of Five Pounds *per Centum per Annum*; and the Persons, Bodies Politic or Corporate, to whose Credit such Capital Stock 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 Politic 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 *January* One thousand eight hundred and fourteen, transmit an attested Duplicate, fairly written on Paper, of the said Book or Books first hereinbefore mentioned, into the Office of the Auditor of the Receipt of His Majesty's Exchequer, there to remain for ever.

Holders of Bills desirous of subscribing 50l. for every 100l. may make a Deposit of 10l. per Cent. by April 17, 1813, and pay Remainder by Installments.

VIII. And be it further enacted, That it shall and may be lawful to and for any Person or Persons who shall have delivered in any such Exchequer Bill or Bills, and who shall be desirous of subscribing or contributing the Sum of Fifty Pounds for every One hundred Pounds Principal Sum contained in such Bill or Bills for the Purchase of Debentures, to make a Deposit on or before the Seventeenth Day of *April* One thousand eight hundred and thirteen, of Ten Pounds *per Centum* on such Sum as he or she shall so choose to subscribe, with the Chief 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 Subscriptions or Contributions (without any other Warrant to be had on that Behalf), as a Security for making the future Payments on or before the Days or times, and in the Proportions hereinafter limited and appointed in that Behalf; that is to say, the further Sum of Ten Pounds *per Centum*, on or before the Thirtieth Day of *April* One thousand eight hundred and thirteen; the further Sum of Ten Pounds *per Centum*, on or before the Twenty first Day of *May* then next following; the further Sum of Ten Pounds *per Centum*, on or before the Twenty fifth Day of *June* (a) then next following; the further Sum of Twenty Pounds *per Centum*, on or before the Sixteenth Day of *July* then next following; the further Sum of Ten Pounds *per Centum*, on or before the Twenty seventh Day of *August* then next following; the further Sum of Ten Pounds *per Centum*, on or before the Twenty fourth Day of *September* then next following; and the remaining Sum of Twenty Pounds *per Centum*, on or before the Twenty ninth Day of *October* then next following.

(a) [18th June, c. 53. § 39. post.]

IX. And



**PX.** And be it further enacted, 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 the Purchase of the said Debentures; 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 Debentures, 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 contribute for Infants.

**X.** And be it further enacted, That every Contributor, paying in the Whole of the Sum by them respectively subscribed as aforesaid, for the Purchase of Debentures, at any time on or before the Twenty third Day of *September* One thousand eight hundred and thirteen, 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 Four Pounds *per Centum per Annum*, from the Day of completing the same to the Twenty ninth Day of *October* One thousand eight hundred and thirteen, which Allowance is to be paid by the said Cashier or Cashiers out of the Money so contributed in pursuance of this Act, as soon as such respective Contributors, their Executors, Administrators, Successors and Assigns, shall have completed such Payment.

Contributors paying the Whole Subscription on or before Sept. 23, 1813, allowed Discount.

**XI.** And be it further enacted, That it shall and may be lawful to and for any Three or more of the Commissioners of His Majesty's Treasury, or the Lord High Treasurer of *Great Britain* for the time being, to cause to be prepared or made and issued at the Receipt of His Majesty's Exchequer, any Number of Debentures, entitling the Person or Persons therein named, their Executors, Administrators and Assigns, to the Sum or Sums to be respectively specified therein, not exceeding in the whole the Amount hereby authorized.

Treasury may issue Debentures.

**XII.** And be it further enacted, That the Debentures to be made forth under the Authority of this Act shall be prepared and made out at the Receipt of His Majesty's Exchequer, in such Method and Form as any Three or more of the Commissioners of His Majesty's Treasury, or the Lord High Treasurer of *Great Britain* for the time being, shall think most safe and convenient; and may contain one common Sum or different Sums in the principal Monies: Provided always, that every such Debenture 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 any Three or more of the Commissioners of His Majesty's Treasury, or the Lord High Treasurer of *Great Britain* for the time being, in Writing under their or his Hands; and that every such Authority shall be duly registered in the Office from which such Debentures are to be issued, and Notice thereof published in the *London Gazette*, before any Debenture signed by virtue of such Authority shall be put into Circulation.

Debentures to be of such Form as the Treasury shall direct.

**XIII.** And be it further enacted, That every such Contributor shall for every One hundred Pounds contributed and paid at the Bank of *England*, on producing a Certificate from the Cashier or Cashiers of the Governor and Company of the Bank of *England*, to the Auditor of the Receipt of His Majesty's Exchequer, that such Payment hath

Contributors entitled to receive Debentures bearing an Interest of 5 per Cent.

When Debentures shall be paid off.

Manner of discharging Debentures.

As soon as Subscriptions are completed they may be transferred.

been completed, be entitled to have and receive from the said Auditor a Debenture for the Sum of One hundred Pounds, bearing Date on the Fifth Day of *April* One thousand eight hundred and thirteen, transferrable by Indorsement, and carrying an Interest at the Rate of Five Pounds *per Centum per Annum* payable to the Bearer thereof Half-yearly, at the Bank of *England*, on the Tenth Day of *October* and Fifth Day of *April* in every Year, the first Payment thereon to be made on the Tenth Day of *October* One thousand eight hundred and thirteen; and the principal Sums contained in such Debentures shall be payable in Money at the Office of the said Auditor, and Interest thereon shall cease on the Fifth Day of *April* One thousand eight hundred and fifteen, or on the Fifth Day of *April* in any succeeding Year during the Continuance of the War, on the Parties entitled to the same, giving Three Calendar Months' previous Notice in Writing to the Chief Cashier of the Governor and Company of the said Bank of *England*, of their Intention to receive such Money, or shall be paid in Money, and the Interest shall cease on the Fifth Day of *April* next succeeding Twelve Months after the Ratification of a Definitive Treaty of Peace: Provided always, that the Persons possessed of or entitled to any such Debentures, shall and may in either or any of the cases before mentioned have the Option (on giving Three Calendar Months' Notice in Writing as aforesaid) of receiving for each One hundred Pounds contained in such Debentures, either the Sum of One hundred Pounds Capital Stock in the Annuities after the Rate of Five Pounds *per Centum per Annum* hereinbefore mentioned; or the Sum of One hundred and Twenty Pounds Capital Stock in Annuities after the Rate of Four Pounds *per Centum per Annum*; or the Sum of One hundred and fifty Pounds Capital Stock in Reduced Annuities, after the Rate of Three Pounds *per Centum per Annum*; which said respective Annuities shall be payable and paid Half-yearly by even and equal Portions; that is to say, the said Annuities after the Rate of Five Pounds *per Centum per Annum*, 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 per Annum* and of Three Pounds *per Centum per Annum*, on the Tenth Day of *October* and the Fifth Day of *April* in every Year; the First Payment upon the said respective Annuities after the Rate of Four Pounds *per Centum per Annum* and of Three Pounds *per Centum per Annum* shall become due on the Tenth Day of *October* next after the time that such Debentures shall become payable as aforesaid; and the First Payment upon the said Annuities after the Rate of Five Pounds *per Centum per Annum* shall become due on the Fifth Day of *July* next after the time the said Debentures shall become payable as aforesaid.

XIV. And be it further enacted, That as soon as any such Persons shall have declared their Intention of accepting any Capital Stock in either of the Annuities aforesaid in lieu of the said Debentures, the respective Principal Sums or Annuities shall forthwith be in the Books of the Bank of *England* placed to the Credit of such respective Persons, their Executors, Administrators, Successors and Assigns; 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 Politic or Corporate whatsoever, in the Books of the Bank of *England*; and the said Governor and Company of the Bank of *England* are hereby required, as soon as conveniently may be after such Option shall have been declared, to prepare proper Books for the Purpose of entering the Names of all such Persons, and of placing to their Credit the Principal Sums contained in such Debentures respectively; and the said Governor and Company are hereby required to cause such Sums to be forthwith placed to the Credit of the Persons entitled to the Annuities in respect thereof, in the Books of the said Bank of *England*; and such Sums shall carry the respective Annuities after the Rate of Five Pounds *per Centum per Annum*, of Four Pounds *per Centum per Annum*, or of Three Pounds *per Centum per Annum*, as the case may be, redeemable by Parliament; and shall respectively be taken and deemed to be Stock transferrable according to the true Intent and Meaning of this Act, until Redemption thereof, in such manner as is hereinafter mentioned.

XV. And, for the more easy and sure Payment of the Annuities established by this Act, it is hereby further enacted, 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 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 the 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 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.

XVI. 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.

XVII. 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 for Debentures as aforesaid, 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 at any time before the Twenty fourth Day of *September* One thousand eight hundred and thirteen, 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 of *Great Britain* for the time being,

Exchequer to  
issue Money to  
Bank for Pay-  
ment of An-  
nuities.

Accountant Ge-  
neral to examine  
Cashiers' Ac-  
counts.

Cashier to give  
Receipt for Sub-  
scriptions, which  
may be assigned  
before Sept. 24,  
1813.

Cashier to give  
Security for pay-  
ing Money into  
Exchequer.

for duly answering and paying into the Receipt of His Majesty's Exchequer in *Great Britain* as after mentioned, for the Public Use, all the Monies which they have already received, and shall hereafter receive from time to time, of and for the whole of the Sum to arise from the Purchase of the said Debentures, 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 of *Great Britain*, 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.

A Book to be kept in Accountant General's Office for entering Contributors' Names.

Duplicate transmitted to Auditor of Exchequer.

Subscriptions paid in Part and not completed, forfeited.

Annuities Personal Estate.

Foreign Attachment.

Treasury may apply Money paid into Exchequer.

XVIII. And be it 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 Names of the said 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 eight hundred and fourteen, 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 of *Great Britain*, there to remain for ever.

XIX. Provided always, and be it further enacted, 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 hereinbefore 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 Public, and all Right and Title to the said Debentures in respect thereof shall be extinguished; any thing in this Act contained to the contrary thereof in any wise notwithstanding.

XX. And be it further enacted, That all Persons who shall be entitled to any of the Annuities hereby granted, 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.

XXI. And be it further enacted, That it shall be lawful for any Three or more of the Commissioners of the Treasury, or the High Treasurer of *Great Britain* 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 of *Great Britain*, by the said Cashier or Cashiers, to such Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament.

XXII. And

XXII. And be it further enacted, That all the Exchequer Bills and Debentures converted into Annuities after the Rate of Five Pounds *per Centum per Annum*, by virtue of this Act, or intended so to be, shall be deemed, reputed and taken to be One Capital or Joint Stock, 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, Thirty fourth, Thirty fifth, Thirty sixth, Thirty seventh, Forty eighth, Forty ninth, Fiftieth, Fifty first and Fifty second Years of the Reign of His present Majesty, for granting Annuities to satisfy certain Navy, Victualling and Transport Bills, Ordnance Debentures and Exchequer Bills; 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.

Exchequer Bills and Annuities converted into Five per Cent. Annuities to be added to Joint Stock of Five per Cent. already established.  
 24 G. 3. sess. 2. c. 39.  
 25 G. 3. c. 32.  
 34 G. 3. c. 21.  
 35 G. 3. c. 32.  
 36 G. 3. c. 122.  
 37 G. 3. c. 9.  
 48 G. 3. c. 38.  
 49 G. 3. c. 21.  
 50 G. 3. c. 23.  
 51 G. 3. c. 16.  
 52 G. 3. c. 14.

XXIII. And be it further enacted, That all the Debentures converted into Annuities after the Rate of Four Pounds *per Centum per Annum*, by virtue of this Act, or intended so to be, shall be deemed, reputed and taken to be One Capital or Joint Stock, and shall be added to and made Part of 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 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 and be deemed to have a proportional Interest and Share in the said Joint Stock of Annuities, at the Rate aforesaid.

Four per Cent. added to Four per Cent.  
 20 G. 3. c. 16.  
 21 G. 3. c. 14.

XXIV. And be it further enacted, That all the Debentures converted into Reduced Annuities after the Rate of Three Pounds *per Centum per Annum* by virtue of this Act, or intended so to be, shall be added to the Joint Stock of Annuities transferrable at the Bank of England, which by an Act made in the Twenty third Year of the Reign of His late Majesty were reduced from Four Pounds *per Centum per Annum* to Three Pounds *per Centum per Annum*, 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 several Acts by which the said Annuities after the Rate of Four Pounds *per Centum per Annum* were respectively granted, are directed in respect of the Annuities redeemable by virtue thereof; 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.

Three per Cent. Reduced added to Three per Cent. Reduced.  
 23 G. 2. c. 1.

XXV. And be it further enacted, That the said Capital or Joint Stock, or any Share or Interest therein, and the proportional

Mode of transferring Stock. Annuities

Annuities 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 Capital or Joint Stock, or any Part thereof, and the proportional Annuities 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 Attornies 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 any such Transfer shall be made, shall respectively underwrite his, her or their Acceptance thereof; and that no other Method of assigning or transferring the said Capital or Joint 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: 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.

Stamp Duty.

Counterfeiting  
Certificates, &c.

XXVI. And be it further enacted, 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 Certificate or Certificates, Debenture or Debentures, directed to be made out by this Act, or any Assignment thereof, or Indorsement thereon, or shall alter any Number, Figure or Word, in any such Certificate or Debenture, or in any Assignment thereof, or Indorsement thereon, or utter or publish as true any such false, forged, counterfeited or altered Certificate or Certificates, Debenture or Debentures, or Assignment or Assignments thereof, or Indorsement or Indorsements thereon, with Intent to defraud His Majesty, or the Governor and Company of the Bank of *England*, or any Body Politic or Corporate, or any Person or Persons whomsoever, 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.

Death.

Counterfeiting  
Receipts for  
Contributions  
for Purchase of  
Debentures.

XXVII. And be it further enacted, 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 or any Part or Parts of the said Contributions for the Purchase of Debentures, 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

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 Politic or Corporate, or any Person or Persons whatsoever, every such Person or Persons for 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.

Death.

Bank to continue  
a Corporation  
for Purpose of  
A<sup>c</sup>t.

XXVIII. Provided also, and it is hereby further enacted, 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 as aforesaid, 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.

XXIX. And be it further enacted, That no Fee, Reward or Gratuity whatsoever shall be demanded or taken 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 such Offence, forfeit the Sum of Twenty Pounds to the Party grieved, to be recovered with full 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 Refraining, or more than One Imparance shall be granted or allowed.

Fee taking.

Penalty.

XXX. Provided always, and be it further enacted, That the said Commissioners of the Treasury, or any Three or more of them, or the High Treasurer for the time being, shall have Power, and they are hereby authorized, out of all or any of the Aids or Supplies in the Receipt of His Majesty's Exchequer, to reward all such Persons as shall be any ways 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.

Treasury to re-  
ward Persons  
for Services.

XXXI. And be it further enacted, That it shall be lawful to and for the Governor and Company of the Bank of *England* to retain out of the said Contributions at the Rate of Eight hundred Pounds for every Million thereof, as an Allowance for the Service, Pains and Labour of the said Cashier or Cashiers employed in receiving, paying and accounting for the same, and also for the Service, Pains and Labour of the said Accountant General, for performing the Trust reposed in him by this Act; which Allowance, in respect of the Service, Pains and Labour of the said Cashier or Cashiers and Accountant General of the said Governor and Company, shall be for the Use of the said Governor and Company, and at their Disposal only.

Bank to retain a  
certain Sum for  
their Services.

XXXII. And be it further enacted, 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

General Issue.

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 Judgment 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.

Act repealed,  
&c.

XXXIII. And be it further enacted, That this Act may be altered, amended or repealed by any Act or Acts to be made in this present Session of Parliament.

#### C A P. XLII.

An Act to enable the Commissioners of His Majesty's Treasury to issue Exchequer Bills, on the Credit of such Aids or Supplies as have been or shall be granted by Parliament for the Service of *Great Britain* for the Year One thousand eight hundred and thirteen. [1st May 1813.]

‘ TREASURY may issue Exchequer Bills in manner prescribed by 48 G. 3. c. 1. — § 1. Clauses, &c. in recited Act relating to Exchequer Bills extended to this Act. § 2. Proviso as to issuing Exchequer Bills on Credit of 53 G. 3. c. 15. in any other manner than they are authorized by that Act, &c. § 3. Interest of 3½ per Cent. per Diem. § 4. Exchequer Bills may at Expiration of Four Months after Date, be taken in Payment of Revenue. § 5. Bank of *England* authorized to advance 6,000,000l. on Credit of this Act notwithstanding 5 & 6 W. & M. c. 20. — § 6.

#### C A P. XLIII.

An Act for increasing the Rates of Subsistence to be paid to Innkeepers and others on quartering Soldiers.

[1st May 1813.]

§ 17. ante.

‘ WHEREAS by an Act passed in the present Session of Parliament; for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters, certain Rates are established in that Part of the United Kingdom of *Great Britain* and *Ireland* 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 prescribed: And whereas 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 every Non Commissioned Officer and Private Soldier who shall be furnished with Diet and Small Beer within the aforesaid Parts of the United Kingdom, by the Innholders or other Persons on whom such Non Commissioned Officers or Private Soldiers shall be quartered and billeted

§ 63.

Non Commissioned Officers, &c. to allow 8d. till June 24, 1813, and after



billeted by virtue of the said Act, shall pay and allow for the same the Sum of Eight pence *per Diem*, until the Twenty fourth Day of *June* One thousand eight hundred and thirteen inclusive, and from and after that Day the Sum of Ten pence *per Diem*; and that for such Allowances of Eight pence and Ten pence, the Innholder or other Person shall furnish One Meal; *videlicet*, a hot Dinner if required in each Day, to each Non Commissioned Officer, Trumpeter, Drummer and Private Soldier quartered and billeted on him, to consist of such Quantities of Diet and Small Beer as shall be specified and fixed in and by any Regulations made or to be made from time to time by His Majesty in that Behalf, but not to exceed One Pound and a Quarter of Meat previous to being dressed, One Pound of Bread, One Pound of Potatoes or other Vegetables previous to being cooked, and Two Pints of Small Beer, and Vinegar, Salt and Pepper; and that the Accounts of the same shall be rendered, and Payment thereof made, in like manner as is directed in the said Act now in force touching the former Rates of Seven pence *per Diem* for the Cavalry, and Five 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 within the aforesaid Parts of the United Kingdom, 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, One Halfpenny *per Diem* for each Non Commissioned Officer and Soldier, instead of furnishing the same *gratis*, as required by the said Act; which Sum of One Halfpenny *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 within the aforesaid Parts of the United Kingdom, on whom any of the Horses belonging to His Majesty's Forces shall be quartered by virtue of the said Act, for Hay and Straw, shall be One Shilling and Two pence *per Diem* for each Horse, instead of Six pence *per Diem* as directed in the said Act. [See c. 17. § 64.]

IV. And whereas the Provisions contained in the said recited Act, with respect to the manner of dieting within the aforesaid Parts of the United Kingdom, 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.

V. And be it further enacted, That all Non Commissioned Officers and Soldiers shall be entitled to receive their Diet and Small Beer from the Innholders or other Persons on whom they may be billeted, within the aforesaid Parts of the United Kingdom, at the Rates hereinbefore 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

that Day 10d.  
per Diem for  
Diet and Small  
Beer in Quartern  
in England;

and for Articles  
which have been  
furnished gratis  
in lieu thereof  
One Halfpenny  
per Diem  
allowed.

For Horses quartered  
1s. 2d. per  
Diem for Hay  
and Straw.

C. 17. § 63.  
ante relating to  
furnishing with  
Diet Non Commis-  
sioned Of-  
ficers, &c. on  
March, &c. re-  
pealed.

Regulation with  
respect to dieting  
Non Commis-  
sioned Officers  
and Soldiers on  
March.

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 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 hereinbefore prescribed.

Paying Money to Non Commissioned Officers, &c. on March in lieu of furnishing Diet, &c.

VI. Provided always, That if any Victualler or other Person liable by the said recited Act to have Soldiers billeted or quartered on him or her, shall pay any Sum or Sums of Money to any Non Commissioned Officer or Soldier on the March, in lieu of furnishing in Kind, the Diet and Small Beer to which such Non Commissioned Officer or Soldier is entitled under the said Act, every such Victualler or other Person may be proceeded against and fined in like manner as if he or she had refused to furnish or allow, according to the Directions of the said recited Act, the several Things respectively directed to be furnished to Non Commissioned Officers or Soldiers so quartered or billeted on him or her as aforesaid.

**Penalty.**

When halted on a March, Diet and Small Beer as after arriving at Destination.

VII. Provided also, and be it further enacted, 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.

If such Halting be only for a Day after Arrival and that a Market Day, Diet and Small Beer not discontinued.

VIII. Provided nevertheless, That whenever it shall happen that any Regiment, Troop, Company or Detachment when on their March shall be halted, and it shall appear by the Marching Orders, that it is not intended that such Regiment, Troop, Company or Detachment, shall halt for any longer time than One entire Day after the Day of their Arrival at the Place of halting, and the Day after such Arrival shall be such Market Day as aforesaid, it shall not be lawful for the Innholders or other Persons on whom the Non Commissioned Officers and Soldiers shall be billeted, to discontinue on such Market Day the Supply of Diet and Small Beer to any such Officers or Soldiers; but that all such Officers and Soldiers shall be entitled to receive their Diet and Small Beer from such Innholders and other Persons aforesaid, upon such Market Day as aforesaid at the Rates hereinbefore prescribed, in like manner as they would have been entitled thereto, if such Day had not been a Market Day; any thing hereinbefore contained to the contrary hereof notwithstanding.

Regulations respecting Recruiting Parties and Recruits on March.

IX. 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 are hereinbefore 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 Rates hereinbefore 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

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.

X. And be it further enacted, That this Act shall have Continuance from the Twenty fourth Day of *March* One thousand eight hundred and thirteen until the Twenty fifth Day of *March* One thousand eight hundred and fourteen; and that all Payments which have been made, and all Acts, Matters and Things done in pursuance of or in conformity with the Provisions thereof, shall be as good, valid and effectual to all Intents and Purposes as if this Act had passed before the said Twenty fourth Day of *March* One thousand eight hundred and thirteen.

Continuance of Act.

XI. Provided always, and be it further enacted, That this Act may be altered and varied by any Act to be made in this Session of Parliament.

Act altered, &c.

[*Allowance increased for Diet furnished to Soldiers on a March, c. 83. post.*]

#### C A P. XLIV.

An Act for allowing a Drawback of the Duties upon Wines consumed by Officers of the Royal Marines serving on board His Majesty's Ships.

[21st May 1813.]

WHEREAS it is expedient that a Drawback of the Whole of the Duties of Customs and Excise should be allowed on Wine shipped for the Use and Consumption of Commissioned Officers of the Royal Marines serving on board His Majesty's Ships, in the same manner as Drawbacks are allowed on Wine shipped for the Use and Consumption of the Officers belonging to His Majesty's 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 the whole Duties of Customs and Excise, paid on the Importation of Wines into *Great Britain*, shall be allowed on any Sort of Wine shipped for the Use of Commissioned Officers of the Royal Marines, or of Persons acting as such, for their Use and Consumption on board such of His Majesty's Ships as they shall serve in, subject nevertheless to the Conditions, Limitations, Rules, Regulations, Restrictions, Penalties and Forfeitures, of 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 in actual Service, and to allow such Ships to be supplied with Tobacco, Duty free*, with respect to the Drawbacks allowed by the said Act on Wine shipped for the Use of Commissioned Officers employed in His Majesty's Naval Service; provided that no greater Quantity of Wine shall be shipped in any One Year for the Use of any Marine Officer or Person serving as such under the Authority of this Act, than is allowed to a Lieutenant employed in His Majesty's Naval Service under the said recited Act; but any less Quantity of Wine than Half a Tun may be shipped for the Use of such Officer of the Royal Marines, or Person acting

Drawback of Duties on Wine shipped for Use of Officers of Marines.

33 G. 3. c. 48.

Limitation of Quantity of Wine.

as such, and the Drawback of the Duties of Customs and Excise may be allowed thereon, provided the same is duly and regularly shipped according to the Directions of the said Act of the Thirty third Year of the Reign of His present Majesty.

## C A P. XLV.

An Act for repealing Two Acts which prohibit the Exportation of Brass and other Metal from *England*.

[21st May 1813.]

83 H. 8. c. 7.

2 &amp; 3 E. 6. c. 37.

repealed.

WHEREAS it appears no longer necessary or proper to continue the Prohibition on the Exportation of Brass, Copper and other Metals contained in an Act passed in the Thirty third Year of the Reign of King *Henry* the Eighth, intituled *An Act for Conveyance of Brass, Latten and Bell Metal over the Sea*; and in an Act passed in the Second and Third Year of the Reign of King *Edward* the Sixth, intituled *An Act against the carrying of Bell Metal out of the Realm*; and therefore that the said Acts should be repealed: 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, the said Two Acts, and every thing therein contained, shall be and the same are hereby repealed.

[See 5 & 6 W. & M. c. 17. § 2. as to Exportation of *Mundick Metal*.]

## C A P. XLVI.

An Act for the further Regulation of the Butter Trade of *Ireland*.

[21st May 1813.]

52 G. 3. c. 134.  
§ 14.

Repealed.

New Regulations  
for making Casks  
for packing of  
Butter.

WHEREAS by an Act made in the last Session of Parliament, intituled *An Act for the better Regulation of the Butter Trade in Ireland*, it was, amongst other things, enacted, that no Person shall sell or expose to Sale any Cask or Casks within any Cities or Liberties thereof, Town Corporate, Place of Export or Market Town, for packing of Butter for Sale or Export, or shall make up or pack any Butter in any Cask or Casks to be exposed to Sale, or for Export in such City, Town Corporate or Market Town, or Place of Export, unless such Cask or Casks be made of good seasoned white Oak or Ash, Sycamore or Beech (whereof no Part to be of Bog Timber), and shall be full bound and made tight, so that each Cask shall hold Pickle, with Head and Bottom equally dooled, and set to the Cross with good and sufficient Hoops on each Cask: And whereas the said Provision hath not been found fully sufficient for the Purposes thereby intended; 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 so much of the said Act as is hereinbefore recited shall be and the same is hereby repealed; and that, from and after the passing of this Act, no Person shall sell or expose to Sale any Cask or Casks within any City or Liberties thereof, Town, Corporate, Place of Export or Market Town, in *Ireland*, for packing of Butter for Sale or Export or shall make up or pack any Butter in any Cask or Casks to be exposed

exposed to Sale, or for Export, in such City, Town Corporate or Market Town or Place of Export, unless such Cask or Casks be made of good seasoned Oak or Ash, Sycamore or Beech (whereof no Part to be of Bog Timber), and shall be full bound and made tight, so that each Cask shall hold Pickle, with Head and Bottom equally dooled and fet to the Cross, with good and sufficient Hoops on each Cask, all well twigged with good fresh Osier Twigs; and that every Person who shall sell or expose to Sale any Cask or Casks for packing of Butter for Sale or Export, within any City or Liberties thereof, Town Corporate, Place of Export or Market Town in *Ireland*, made otherwise than as herein directed, or who shall make up or pack any Butter to be exposed to Sale, or for Export, within any such City or Liberties thereof, Town Corporate, Place of Export or Market Town, in any Cask or Casks made otherwise than as herein directed, being thereof duly convicted in manner required by the said recited Act, shall forfeit and incur such Penalties as by the said recited Act are inflicted and imposed, upon Persons so selling or exposing to Sale any Cask or Casks for packing Butter made otherwise than as in the said recited Act is directed, or so making up or packing any Butter to be exposed to Sale or for Export, in any Cask or Casks made otherwise than as in the said recited Act is directed, and as if the said Casks had in and by the said recited Act been directed to be made in such manner as is directed by this present Act.

II. And whereas it is in and by the said recited Act of the last Session of Parliament, enacted, that whenever any Butter, made in *Ireland*, shall at any time, after the Commencement of the said recited Act, be imported into any Port of *Great Britain*, it shall and may be lawful for any Officer or Officers of Customs of such Port of Importation, to search and examine the Casks in which such Butter shall be packed; and in case any Butter so imported shall be packed in any Cask or Casks not authorized by the said Act, or in any manner contrary to the Directions of the said Act, such Butter and Casks in which the same shall be imported shall be forfeited, and may be seized by such Officer of the Customs, and he is by the said Act authorized and empowered to seize the same accordingly; and One Half of the Value of the Butter so forfeited and seized shall go to His Majesty, his Heirs and Successors, and the other Half to the Officer so seizing the same; and such Forfeiture shall and may be recovered by all such ways and means in like manner as any Forfeiture may be recovered under any Act or Acts relating to the Customs in force in *Great Britain*: And whereas the Execution of the said recited Provision may in certain cases become very inconvenient and prejudicial; Be it therefore enacted, That, from and after the passing of this Act, so much of the said Act as is immediately hereinbefore recited shall be and the same is hereby repealed, and shall be of no Force or Effect whatsoever; any thing in the said recited Act notwithstanding.

53 G. 3. c. 134.  
§ 31.

repealed.

III. And be it further enacted, That nothing in this or any former Act contained shall extend to oblige the Proprietor of any Butter conveyed by Inland Navigation to the Port of *Waterford*, for Shipment there, to subject such Butter to Inspection and Branding at the Weigh-house of the City of *Waterford*; provided always, that such Butter shall have already undergone Examination, and been duly proved and branded according to Law, at some other of the Weigh-houses legally

Butter conveyed to *Waterford* for Shipment, in what case not inspected.

legally established in the Market Town where the said Butter was first exposed to Sale, and that the Brand so affixed and designating the Quality and Quantity thereof and Place of Branding still remain, without being effaced or obliterated, at the time of Shipment of such Butter from the Port of *Waterford*.

Provisions of recited Act respecting Shipment of Casks not to commence till 5th July.

Act repealed, &c.

IV. And be it further enacted, That such of the Provisions of the heretofore recited Act of the last Session of Parliament, as respect the Shipment of Butter except in Casks of the Size and Description therein specified from any of the Ports of *Ireland*, shall not commence their Operation or take Effect until the Fifth Day of July next ensuing after the passing of this Act.

V. And be it further enacted, That this Act may be amended, amended or repealed by any Act or Acts to be passed in this present Session of Parliament.

#### C A P. XLVII.

An Act to empower the Officers of His Majesty's Customs to take Bonds from Persons under Twenty one Years of Age, serving as Mates on board of Merchant Vessels

[21st May 1813.]

WHEREAS it is expedient to allow the Officers of His Majesty's Customs to take Bonds from Persons appointed to serve as Mates on board of *British* Vessels, although such Persons may not have attained the Age of Twenty one Years, in order to enable Owners of Vessels to employ any Persons fully competent to the Duty of Mates although under Twenty one Years of Age, who cannot now be so employed on board *British* Vessels: 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, it shall be lawful for the Collector or other principal Officer of the Customs in any Port in *Great Britain*, and they are hereby required to take such and the like Bonds as have heretofore been given and executed by Mates of *British* Merchant Vessels, from any Person appointed to serve as Mate on board of any *British* Merchant Vessel who shall have attained the Age of Eighteen Years, and all such Bonds shall be as good, valid and effectual, to all Intents and Purposes in Law and Equity, as if the Persons executing the same had attained the full Age of Twenty one Years; any thing in any Act or Acts of Parliament, or Law or Laws, or Usage or Custom, to the contrary notwithstanding.

Bonds taken from Persons serving as Mates on board of Merchant Vessels if they have attained the Age of 18.

#### C A P. XLVIII.

An Act to amend the Laws for raising and training the Militia of *Ireland*.

[21st May 1813.]

49 G. 3. c. 120.

§ 43.

WHEREAS by an Act passed in the Forty ninth Year of His present Majesty's Reign, intituled *An Act for amending and reducing into One Act of Parliament, the Laws for raising and training the Militia of Ireland*; it was, amongst other things, enacted, that no Person who after the Commencement of the said Act should be appointed Paymaster in the said Militia, should be capable of holding any Commission in the said Militia, save the Commission of Pay-

Paymaster; and that no Officer holding any Commission in the said Militia should be capable of being appointed Paymaster; And whereas the said Provisions have been found inconvenient; 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, after the passing of this Act, it shall and may be lawful for any Paymaster in the said Militia to hold the Commission of a Subaltern Officer in the said Militia together with the Commission of Paymaster, and that any Officer holding the Commission of a Subaltern Officer in the said Militia shall be capable of being appointed Paymaster therein; any thing in the said recited Act or any other Act to the contrary notwithstanding.

Paymasters may hold Subaltern Commissions.

II. And whereas by the said-recited Act it is also, amongst other things, provided, that if it shall happen in any case that the Number of Militia Men duly appointed, or to be appointed to be raised for any Regiment or Battalion of the Militia of *Ireland*, shall not be raised within Three Calendar Months from and after the time when the same ought to be raised by Ballot, or within Four Months from the Date of the Order for raising the same by enrolling Volunteers, then and in every such case the County or County of a City or Town, in which such Number of Militia Men ought to be raised, shall be charged with the Payment of the yearly Sum of Ten Pounds, for and in lieu of every Private Militia Man so deficient; and upon Proof on Oath first laid by any Governor or Deputy Governor of such Deficiency before the Judge of Assize, or in the County or City of *Dublin*, before the Court of King's Bench, it shall be lawful for such Judge of Assize and such Court, and they are thereby respectively required, to fine the County or County of a City or Town, or such District, Baronies or Barony, or Parish or Parishes thereof, in which such Neglect shall happen, in a Sum after the Rate of Ten Pounds for every Private Man so deficient, and to repeat the same Fine annually so long as the said Deficiency shall continue; which Fine or Fines shall be estreated into His Majesty's Exchequer, and issued in the Process, and shall be duly levied by the Sheriff or other Officers respectively, to whom such Process shall be directed respectively; and it shall not be lawful for the Barons of the Exchequer, or Commissioners of Reducement, on any account, to take off, release or reduce such Fine or Fines, or any Parts thereof: And whereas the said Mode of raising the Amount of the said Fines is inconvenient; Be it therefore enacted, That so much of the said recited Act as relates to the estreating of such Fines, and issuing of such Process, and levying the same, shall, as to all such Fines to be imposed after the passing of this Act, stand and be repealed; and that, from and after the passing of this Act, all Fines so to be imposed shall be levied by and under the Warrant of the Treasurer of the County, in the same manner in all respects as County Presentments are or shall from time to time be levied in *Ireland*, and every such Treasurer is hereby authorized and required to issue such Warrant for the same accordingly: Provided always nevertheless, that such Fines when so levied shall be paid and disposed of in all respects in manner by the said recited Act directed.

49 G. 3. c. 120. § 141.

repealed. Such Fines levied under Warrant of Treasurer of County as County Presentments.

III. And whereas Doubts may be entertained as to the Amount of the Bounty payable in certain cases on raising Volunteers for the

Amount of  
Bounty to Militia  
Men; and by  
whom to be paid.

49 G. 3. c. 120.  
§ 125.

Militia in *Ireland*, and by whom and in what Proportions such Bounty ought by Law to be paid; Be it therefore declared and enacted, That in all cases where any Man or Men shall be raised in *Ireland* for the Militia, by volunteering, whether at the forming of any Regiment or augmenting the same, or for supplying any Vacancies in any Regiment, whether augmented or not, the Bounty for every such Volunteer shall be such Sum not exceeding the average Price of a Substitute, to be ascertained respectively in manner in the said Act of the Forty ninth Year of His Majesty's Reign directed, as the Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall from time to time direct, and such Sums shall be advanced and paid respectively in manner here following; that is to say, the Bounty on the original Augmentation of any Regiment shall be paid altogether out of His Majesty's Treasury in *Ireland*; the Bounty on volunteering to supply Vacancies in augmented Regiments shall be advanced out of the said Treasury, and Seven Tenths thereof be repaid by the respective Counties, and the Residue shall be charged to the Consolidated Fund; in all other cases, the whole Bounty shall be advanced out of the said Treasury, and repaid by the respective Counties; all which Sums are to be over and above and distinct from the Marching Guinea, and the further Sums to be advanced for the procuring and enrolling such Volunteers as in the said Act of the Forty ninth Year of His Majesty's Reign is directed: Provided always, that when the Militia Men in any augmented Regiment shall have been apportioned in manner directed by the said last recited Act, and the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being shall direct, that the original Establishment of such Regiment shall be filled up by Ballot, then the County for filling up the augmented Number shall be paid altogether out of His Majesty's Treasury in *Ireland*.

In what case  
Fines not to extend to  
Deficiencies in Volunteering  
for originally augmenting  
Regiments, or for supplying  
Vacancies in augmented  
Numbers.

IV. Provided also, and be it further enacted, That the Fines of Ten Pounds annually to be imposed on the respective Counties for Men remaining deficient as aforesaid, shall not extend, nor be construed to extend to, nor be imposed for any Deficiency in volunteering for the original Augmentation of any Regiment, nor for the supplying of any Vacancies in the augmented Numbers of any Regiment where the original Quota of such Regiment shall have been or shall be apportioned among the several Parishes and Districts in manner directed by the said recited Act of the Forty ninth Year aforesaid; and the Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall direct that the Vacancies in such original Establishment shall be supplied by Ballot, but shall extend and be construed to extend to Deficiencies in raising Men by volunteering for or upon any other of the Purposes or Occasions aforesaid.

Colonels may  
apply Bounty for  
Use of Militia  
Men, under  
Orders of Lord  
Lieutenant.

V. And be it further enacted, That it shall and may be lawful to and for the respective Colonels or Commanding Officers of Militia to pay or apply the Bounty of each Volunteer, or to cause the same to be paid or applied to the Use of every such Volunteer, at such times and Places, and in such Proportions, as to any Advance of any Part thereof, and in such manner, and under and subject to such Regulations and Restrictions, as the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the time being, shall, by any Order of his or their Chief Secretary, by any Regulations from time to time made in that behalf, be pleased to order or direct.

VI. And



VI. And be it further enacted, That it shall and may be lawful to and for the Lord Lieutenant, or other Chief Governor or Governors of Ireland, whenever he or they shall think proper so to do, to order that any augmented Regiment or Regiments of the said Militia, raised or to be raised in Ireland, shall be reduced to its original Establishment; and thereupon such Regiment shall, to all Intents and Purposes, be and remain as if the same had never been augmented, unless and until the same shall be again augmented according to Law; and from the Date of such Order, all and every Officer, Non Commissioned Officer and Private in any such Regiment, over and above the original Establishment thereof, shall be Supernumeraries, and shall succeed, according to their Order and respective Ranks, to the first Vacancies that shall occur in such Regiments respectively.

Lord Lieutenant empowered to reduce augmented Regiments.

## C A P. XLIX.

An Act to explain and amend an Act, passed in the Seventh and Eight Years of the Reign of the late King William, as far as relates to the splitting and dividing the Interest in Houses and Lands among several Persons to enable them to vote at Elections of Members to serve in Parliament.

[21st May 1813.]

WHEREAS by an Act of Parliament made in the Seventh Year of the Reign of His late Majesty King William the Third, intituled *An Act for the further regulating Elections of Members to serve in Parliament, and for preventing irregular Proceedings of Sheriffs and other Officers in the electing and returning such Members*, it is, amongst other things, enacted, That all Conveyances of any Messuages, Lands, Tenements or Hereditaments, in any County, City, Borough, Town Corporate, Port or Place, in order to multiply Voices, or to split and divide the Interest in any Houses or Lands amongst several Persons to enable them to vote at Elections of Members to serve in Parliament, shall be void and of none Effect: And whereas Doubts have been entertained whether Devises by Will made in such cases, and for such Purposes, are within the true Intent and Meaning of the said Act; 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 all Devises by Will made in such cases and for such Purposes as by the said Act are hereinbefore described, are and shall be taken to be Conveyances within the true Intent and Meaning of the said Act, as if the same had been therein specially mentioned: Provided always, that this Act shall not revoke or defeat or be construed to revoke or defeat any Part of any Will in which is comprised any Devise or Devises which is or are hereby declared void, other than or beyond the Devise or Devises made void by this Act.

7 & 8 W. 3. c. 25.

§ 7.

Devises by Will for splitting Votes.

II. And whereas divers Freehold Estates may have been heretofore acquired under such Devises as are hereby declared to be void, the Possession of which Freehold Estates it may nevertheless be expedient to quiet and protect; Be it therefore further enacted,

Certain Devises not affected.

That nothing herein declared shall extend to or affect any Devise made by any Testator or Testatrix whose Death took place Twenty Years before the passing of this Act.

C A P. L.

An Act for further allowing the Importation and Exportation of certain Articles at the Island of Bermuda.

[21st May 1813.]

32 G. 3. c. 79.

WHEREAS it appears expedient, that the Trade which is permitted to be carried on at the Port of Saint George in the Island of Bermuda by an Act passed in the last Session of Parliament, intituled *An Act to allow British Plantation Sugar and Coffee imported into Bermuda in British Ships to be exported to the Territories of the United States of America in Foreign Ships or Vessels, and to permit Articles the Production of the said United States to be imported into the said Island in Foreign Ships or Vessels*, should be permitted at the Port of Hamilton in the said Island; 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 such Articles as may be imported into the Port of Saint George in the Island of Bermuda, and all such Articles as may be exported from the said Port by virtue of the said Act, shall and may be respectively imported into and exported from the Port of Hamilton in the said Island, in like manner, and in no other, as is permitted by the said Act; any thing in the Act passed in the Twenty eighth Year of His present Majesty, intituled *An Act for regulating the Trade between the Subjects of His Majesty's Colonies and Plantations in North America and in the West India Islands, and the Countries belonging to the United States of America, and between His Majesty's said Subjects, and the Foreign Islands in the West Indies*, or in any other Act, to the contrary notwithstanding.

Articles allowed to be imported into and exported from Saint George in Bermuda, may be imported into and exported from Port Hamilton. 28 G. 3. c. 6.

C A P. LI.

An Act to relieve the Widows of Military Officers from the Payment of Stamp Duties on the Receipt of their Pensions in Ireland. [21st May 1813.]

WHEREAS the Pensions of the Widows of Officers of His Majesty's Land Forces, payable in Ireland, are barely sufficient for their decent Maintenance; 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 Stamp Duty shall be payable on any Receipts for any Sum of Money paid for or on account of any such Pension, notwithstanding any Act or Acts of Parliament heretofore made, or any Act or Acts which shall be hereafter made, unless the contrary shall be expressly provided therein.

No Stamp Duty payable on Receipts for Pensions to Widows of Officers.

C A P.

## C A P. LII.

An Act to encourage the Distillation of Spirits from Sugar in *Ireland*, and to permit the Warehousing of such Spirits without Payment of the Duty of Excise chargeable thereon.

[21st May 1813.]

**W**HEREAS it is expedient to encourage the Distillation of Spirits from Sugar in *Ireland*, and to permit the same to be warehoused without Payment of the Duty of Excise chargeable on such Spirits; 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 *Monday* Week next after the passing of this Act, in lieu and instead of the Charge under any Act or Acts in force in *Ireland*, at the time of the passing of this Act, on any Decrease of Wash produced from Sugar, or on any Decrease of Low Wines or Singlings produced from such Wash, the Officer of Excise keeping an Account of Wash, Pot Ale, Low Wines or Singlings in the Distillery of any Distiller in *Ireland*, shall, on any Decrease of Wash produced from Sugar, charge the Distiller for a Quantity of Spirits calculated after the Rate of Eighteen Gallons and a Half of Spirits for every One hundred Gallons of Wash so decreased, and so in Proportion for any greater or less Quantity of Wash; and upon any Decrease of Low Wines or Singlings produced from any such Wash, such Officer shall charge the Distiller for a Quantity of Spirits after the Rate of Two Gallons of Spirits for every Four Gallons of Low Wines or Singlings so decreased, and so in Proportion for any greater or less Quantity of Low Wines or Singlings, and such Officer shall make a Return of the Quantity of Spirits and of the Duties thereon accordingly, and such Distiller shall pay the Duty so charged and returned.

Mode of charging Wash, &c. produced from Sugar

Spirits exceeding Proportion here- in mentioned to pay an Excise Duty of 3s. 8d. per Gallon for Excess.

Proviso.

Notice given to Officer before Sugar received or delivered out.

II. And be it further enacted, That if any Distiller in *Ireland* shall make, distil, extract or produce any Quantity of Spirits, exceeding the Proportion of Eighteen Gallons and a Half for every One hundred Gallons of Wort or Wash brewed or made from Sugar as aforesaid, or exceeding the Proportion of Two Gallons of Spirits for every Four Gallons of Low Wines or Singlings decreased, every such Distiller shall be charged with and shall pay the Excise Duty for all such Spirits exceeding the Proportion aforesaid; that is to say, at and after the Rate of Three Shillings and Eight pence for every Gallon of such Excess; and such Excess shall be charged, and the Duty thereon paid, in like manner and under the like Rules and Regulations as the Duties of Excise on all Spirits made by any Distiller, or for which any Distiller is by Law chargeable, are charged and paid; Provided always, that no such Excess shall be charged with any higher or greater Rate of Duty of Excise in the whole, than after the Rate of Three Shillings and Eight pence for every Gallon of such Spirits.

III. And be it further enacted, That before any Distiller in *Ireland* shall receive or take into his Custody or Possession any Sugar for Distillation into Spirits, such Distiller shall give to the Surveyor or Guager in Charge of the Distillery of such Distiller, Twenty four Hours Notice in Writing, specifying the true Quantity of Sugar intended

intended to be so received or taken in, the Name and Place of Abode of the Person or Persons from whom such Sugar is to be received, and the Day on which it is intended to be so received or taken in; and if any Distiller shall have Occasion to sell or send out any Sugar, every such Distiller shall in like manner give to the Surveyor or Gauger of his Distillery Twenty four Hours Notice in Writing, of his Intention to send out such Sugar, and shall specify in every such Notice the true Quantity of Sugar intended to be sent out, and the time when such Sugar is intended to be sent out or delivered, and the Name of the Person to whom and the Place to which such Sugar is intended to be sent; and if any Distiller shall neglect or refuse to give such Notice as aforesaid, or shall take or receive into or send or deliver out of his Custody or Possession any Sugar, without having given such previous Notice in Writing as aforesaid, every such Distiller shall, for each and every such Offence, forfeit the Sum of One hundred Pounds.

**Penalty.**

Notice given by Distiller of Intention to break down Sugar for Distillation.

IV. And be it further enacted, That whenever any Distiller shall intend to break down any Sugar for the Purpose of Distillation, such Distiller shall, Four Hours at least before so breaking down such Sugar, give Notice to the Officer in Charge of the Distillery of such Distiller (by an Entry to be made in a Book to be provided by such Officer for such Distiller, and to be carefully kept in such Distillery) of the Day and Hour when such Distiller so intends to break down such Sugar, and the Quantity of Sugar intended to be then broken down, and also the time when the breaking down of such Sugar will be completed; and if any such Distiller shall intend to make any second Use of the same Materials with any Addition thereto of any further Quantity of Sugar, such Distiller shall give a like Notice, and such Book shall be carefully kept by such Distiller, and shall, within Forty eight Hours after the Expiration of every Period of Four Weeks or Twenty eight Days, be delivered with the Entries thereon by such Distiller to such Officer; and in case any Sugar shall be broken down by any Distiller for the Purpose of Distillation, without such Notice being given by Entry to be made in such Book, all such Wash made from such Sugar shall be forfeited and may be seized, and such Distiller shall forfeit the Sum of Ten Pounds.

**Penalty.**

Mode of charging; Distiller, and Allowance to be made Surveyor and Gauger in Charge of Distillery.

V. And be it further enacted, That whenever any Distiller in Ireland over and above the respective Quantities of Spirits for which such Distiller is chargeable by Law, in respect of each and every Still according to the Content thereof, and according to the Number of Charges of Singlings or Low Wines for each such Still, for any Period of Four Weeks or Twenty eight Days, shall also be charged with and shall pay the full Duty for as much more Spirits as might be produced according to the Rates established by Law from all Pot Ale, Wash, Low Wines or Singlings, which such Distiller shall have actually distilled within such Period of Four Weeks or Twenty eight Days, then and in such case it shall and may be lawful for the Surveyor and Gauger in Charge of the Distillery of such Distiller, or other Officer of Excise making such Charge on such Distiller, to be paid and allowed and to receive as a Recompence for the Performance of their Duty, any such Sum being a Proportion of such Duty, for such further Quantity of Spirits charged on and paid by such Distiller as the Commissioners of Inland Excise and Taxes shall by and with the Consent and Approbation of the Lord High

High Treasurer, or the Commissioners for executing the Office of Lord High Treasurer of *Ireland*, think proper to order and direct; and such Sum shall be paid to such Officers, or any of them, at such time and in such manner and in such Proportions as the said Commissioners of Inland Excise and Taxes, by and with such Consent as aforesaid, shall from time to time order, direct and appoint.

Allowance made  
Distillers in  
certain cases.

VI. And be it further enacted, That in all cases in which any Distiller shall, at any time after the said Twenty ninth Day of *September* One thousand eight hundred and twelve, have been charged with Duty for any Quantity of Spirits calculated after the Rate of Twenty one Gallons of Spirits for every One hundred Gallons of Sugar Wash decreased, it shall and may be lawful for the Commissioners of Inland Excise and Taxes in *Ireland* (by and with the Consent and Approbation, and according to the Directions of the Lord High Treasurer of *Ireland*, or of the Commissioners for executing the said Office of Lord High Treasurer), to make such Allowance to such Distiller as to the said Commissioners shall seem reasonable in respect of any such Charge, in such manner and under such Regulations as the said Commissioners shall think fit: Provided always, that no such Allowance shall be granted so as to make any Distiller chargeable with less than Eighteen Gallons and a Half of Spirits for every One hundred Gallons of Wash so decreased, nor to affect or prevent the Payment of the full Duty payable on all Spirits actually distilled by such Distiller.

Proviso.

VII. And be it further enacted, That, from and after the passing of this Act it shall and may be lawful for every Distiller or Maker of Spirits from Sugar in *Ireland*, who is or shall be licenced to keep a Still of any Content whatever, to warehouse such Spirits without Payment of the Duty of Excise chargeable thereon, in any of His Majesty's Warehouses or Stores in any Port in *Ireland* in which, or in the District wherein such Port shall be situated, such Still shall be licenced by the Commissioners of Inland Excise and Taxes in *Ireland*, or in any of His Majesty's Warehouses or Stores at such other Places in *Ireland* as the Commissioners of Inland Excise and Taxes, by and with the Consent of the Lord High Treasurer of *Ireland* or the Commissioners for executing the said Office of Lord High Treasurer, shall direct and appoint; under and subject nevertheless to all the Rules and Regulations, Restrictions, Provisions, Penalties and Forfeitures and Modes of Recovery thereof provided, mentioned and contained in an Act made in the last Session of Parliament, intitled *An Act to provide for regulating the warehousing* 52 G. 3. c. 52  
*Spirits distilled from Corn in Ireland for Exportation, without Payment of the Duty of Excise chargeable thereon, and to transfer the Custody of Spirits so warehoused from the Commissioners of Customs and Port Duties in Ireland and their Officers, to the Commissioners of Inland Excise and Taxes in Ireland and their Officers, or in any other Act or Acts in force in Ireland, at or immediately before the passing of this Act, with respect to the warehousing of any Spirits, and to the Exportation of the same, or to the taking of the same out of Warehouse for Home Consumption; and that all such Rules, Regulations, Restrictions, Provisions, Penalties and Forfeitures, shall be applied and put in practice, with respect to the warehousing of Spirits distilled from Sugar in *Ireland* in Stills of any Content whatever, and to the Exportation thereof, and to the taking thereof*

Spirits ware-  
housed without  
Payment of  
Duty.

out of Warehouse for Home Consumption, as fully and effectually to all Intents and Purposes, as if the same had been expressly repealed and re-enacted in this Act; and that upon the Exportation from *Ireland* of such Spirits which shall be so warehoused in *Ireland*, and exported from Warehouse, there shall be allowed and given a Drawback of Two Shillings and Two pence, as is mentioned and expressed, in such case, in an Act made in the last Session of Parliament, intituled *An Act to grant an Excise Duty on Spirits made or distilled from Sugar in Ireland, during the Prohibition of Distillation from Corn or Grain there, in lieu of the Excise Duty now chargeable thereon, and to allow a Drawback on the Export thereof*, under the Regulations and Provisions in the said recited Act contained.

VIII. And be it further enacted, That nothing in this Act contained shall extend or be deemed or construed to extend, to repeal or alter any Act or Acts of Parliament in force immediately before the passing of this Act, relating to the distilling or making Spirits in *Ireland*, or any of the Clauses or Provisions therein, save and except so far as any such Act or Acts, or the Clauses, Provisions, Powers or Authorities therein contained or granted are expressly repealed, revoked or altered by this present Act, or are repugnant to any of the Provisions therein contained; but that all and singular the said former Acts, and the several Provisions, Rules, Regulations, Powers and Authorities therein contained or granted, and the Fines, Penalties and Forfeitures incurred or thereby imposed or provided for any Breach or Non-observance of the same (except as aforesaid), shall remain and continue in as full Force and Effect as if this Act had not been made; any thing herein to the contrary in any wise notwithstanding; and that all Penalties and Forfeitures under this Act shall be sued for, recovered and applied in the same manner and under such Powers and Authorities as are appointed, directed and expressed for the Recovery of any Penalties or Forfeitures in and by an Act made in *Ireland* in the Fourteenth and Fifteenth Years of His late Majesty King *Charles* the Second, intituled *An Act for the settling of the Excise or new Impost upon His Majesty, his Heirs and Successors, according to the Book of Rates therein inserted*, or in and by any other Act or Acts in force in *Ireland* relating to the Revenues of Customs and Excise, or either of them, as fully and effectually to all Intents and Purposes, as if the same were herein expressed and enacted, with the like remedy of Appeal to and for the Party or Parties aggrieved, as in and by the said recited Act made in the Fourteenth and Fifteenth Years of His late Majesty King *Charles* the Second, or any other Act or Acts as aforesaid is provided.

IX. And be it further enacted, That this Act may be altered, amended or repealed by any Act or Acts to be made in this present Session of Parliament.

52 G. 3. c. 62.  
§ 5.

Act not to  
affect former  
Acts unless  
where hereby  
altered.

14 & 15 Car. 2.  
(1.) Sect. 4. c. 8.

Appeal.

Act altered, &c.

## C A P. LIII.

An Act for raising a further Sum of Money by Debentures for the Service of *Great Britain*, and for granting Annuities to satisfy certain Exchequer Bills, and for amending an Act of this Session of Parliament for granting Annuities to satisfy certain Exchequer Bills; and for raising a Sum of Money by Debentures.

[21st May 1813.]

Most Gracious Sovereign,

**WE**, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom in Parliament assembled, being desirous to raise the necessary Supplies which we have cheerfully granted to Your Majesty in this Session of Parliament, and making Provision to satisfy the Principal Sums contained in certain Exchequer Bills, now outstanding, not exceeding the Amount of Six Millions Sterling, have resolved, that a Sum not exceeding Three Millions be raised by Debentures, and that all Persons interelred in or entitled unto certain Exchequer Bills, should be entitled, in respect of the Principal Sums contained therein, to such Capital Stock in Annuities as are hereinafter mentioned, subject to the Provisions of this Act; We Your Majesty's most faithful Commons, do therefore most humbly besetch 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 Three Millions, who shall on or before the Sixth Day of *May* One thousand eight hundred and thirteen have made a Deposit of Fifteen Pounds *per Centum* on such Sum as he or she shall choose to subscribe with the Chief Cashier or Cashiers of the Governor and Company of the Bank of *England*, shall, for every One hundred Pounds contributed and paid, be entitled to a Debenture of the Description hereinafter mentioned.

**II.** And be it further enacted, That every Person interelred in or entitled unto any Exchequer Bills, dated between the First Day of *March* One thousand eight hundred and twelve and the Thirty first Day of *March* One thousand eight hundred and thirteen, both inclusive, who shall on or before the Sixth Day of *May* One thousand eight hundred and thirteen have made a Deposit of Fifteen Pounds *per Centum* as aforesaid, shall for every One hundred Pounds contributed and paid be entitled to a like Debenture, and shall receive from the Chief Cashier of the Governor and Company of the Bank of *England* a Certificate to the Paymasters of Exchequer Bills, which Certificate shall state numerically the Order in which such Subscriptions shall be made, and the Amount thereof, which shall entitle such Person to deliver in such Bills to the Paymasters of Exchequer Bills, on the Seventh Day of *May* One thousand eight hundred and thirteen, in the like Order, to the Amount of Double the Sum subscribed by such Person for such Debentures.

**III.** And be it further enacted, That the several Persons who, in pursuance of a Resolution of the House of Commons of the First Day of *April* One thousand eight hundred and thirteen, for granting Annuities to discharge certain Exchequer Bills to the Amount of Twelve

Contributors making Deposit entitled to Debentures.

Entitled to Exchequer Bills to have Debentures in like manner.

Further time allowed for subscribing Exchequer Bills.

Twelve Millions, applied to the said Paymasters to subscribe their Exchequer Bills and received Tickets from the said Paymasters, but who were not at that time permitted to subscribe the same, in consequence of the Sum authorized to be funded by the said Resolution having been completed, shall and may be permitted to deliver in to the said Paymasters, on the Eighth Day of *May* One thousand eight hundred and thirteen, Exchequer Bills of the Description before mentioned, not exceeding the Amount then proposed to have been subscribed by such Persons respectively.

Possessed of Debentures may deliver in Exchequer Bills to Double the Amount.

IV. And be it further enacted, That the several Persons who shall be possessed of Debentures or Receipts for Debentures subscribed for as aforesaid, under the said Resolution of the House of Commons of the First Day of *April* One thousand eight hundred and thirteen, shall and may deliver in to the said Paymasters, on the Eighth Day of *May* One thousand eight hundred and thirteen, Exchequer Bills of the Descriptions before mentioned, to Double the Amount of the Sums contained in such Debentures or Receipts for Debentures as aforesaid.

After a certain Period other Persons may deliver in Exchequer Bills.

V. And be it further enacted, That in case Exchequer Bills, dated within the Periods before mentioned, to the Amount of Six Millions, shall not be delivered in to the said Paymasters by the different Descriptions of Persons before mentioned, on the Seventh and Eighth Day of *May* as aforesaid, any other Persons shall and may, on the Eleventh Day of the said Month, deliver in any Exchequer Bills of the Descriptions before mentioned, to complete the said Sum of Six Millions.

Delivering in Exchequer Bills entitled to certain Stock and Interest.

VI. And be it further enacted, That every Person so delivering in such Exchequer Bills shall be paid the Interest that shall have become due thereupon to the Twenty sixth Day of *May* One thousand eight hundred and thirteen, in Money, as soon thereafter as can conveniently be done, and shall have in Exchange for such Exchequer Bills, from such Paymasters, Certificates to the Governor and Company of the Bank of *England*, expressing the Principal Sum contained in such Bill or Bills, entitling the Holders of such Exchequer Bills, in respect of the Amount of the Principal Sums contained therein, to the Sum of One hundred and thirty nine Pounds Capital Stock in Annuities after the Rate of Four Pounds *per Centum per Annum*, to commence from the Fifth Day of *April* One thousand eight hundred and thirteen, for each One hundred Pounds contained in such last mentioned Certificates, and so in Proportion for any greater Sum; and that all Persons interested in or entitled unto such Exchequer Bills as aforesaid shall, by having delivered the same on the respective Days aforesaid into the said Office of the Paymasters of Exchequer Bills, be deemed to have accepted of the aforesaid Terms; which said Annuities shall be paid and payable at the Bank of *England*, at the times and in the manner herein mentioned: Provided always, that the Amount of the Principal Sums contained in such Exchequer Bills, to be exchanged for Certificates in pursuance of this Act, shall not exceed the Sum of Six Millions Sterling.

Proviso.

Guardians may deliver up Bills for Benefit of Infants, who shall be entitled to Annuities.

VII. And be it further enacted, 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 the same



same to such Paymaster of Exchequer Bills; and such Infant or Infants, upon such Guardian or Guardians, Trustee or Trustees delivering up such Bill or Bills, shall be entitled to such Certificates as aforesaid, and shall also be entitled to the Annuities 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 or Infants be expressed in such Certificate or Certificates; any thing herein contained to the contrary in any wise notwithstanding.

VIII. And be it further enacted, That it shall and may be lawful to and for the proper Officer or Officers, at the Office of the Paymasters of Exchequer Bills for the time being, to take in and receive from all and every Person and Persons, Natives or Foreigners, Bodies Politic or Corporate, who is, are or shall be possessed of, interested in or entitled unto any such Exchequer Bills, all the said Exchequer Bills, to the Amount of Six Millions Sterling, as aforesaid, which any such Person or Persons, Bodies Politic or Corporate, shall, on the respective Days aforesaid, have delivered to such Officer or Officers; and the said Paymasters of Exchequer Bills are hereby authorized and required, upon Receipt of any such Bills, to mark and cancel the same, and to pay the Interest that shall have become due thereupon to the said Twenty sixth Day of *May* One thousand eight hundred and thirteen, and to make forth and sign the Certificates herein directed to be made out, in lieu of the Principal Sums contained in the said Bills, and to deliver the same to the Parties entitled thereto as soon after the passing of this Act as conveniently can be done; and the said Paymasters of Exchequer Bills are hereby authorized and required to deliver to the Governor and Company of the Bank of *England* the Cheques or Counterfoils of such Certificates.

Exchequer Office to receive and cancel Exchequer Bills on granting Certificates.

IX. And be it further enacted, That all and every Person and Persons, Bodies Politic and Corporate, who shall have delivered any such Exchequer Bill or Bills as aforesaid, upon producing such Certificates as are hereby directed to be made forth by the said Paymasters of Exchequer Bills, in lieu of the Principal Sums contained in such Bill or Bills, shall, for every Sum of One hundred Pounds contained therein, and so in Proportion for any greater Sum, have and be entitled to the Capital Stock in Annuities, hereinbefore mentioned which shall be in lieu of such Exchequer Bills, and the Annuities thereon shall be payable Half-yearly at the Bank of *England*, on the Tenth Day of *October* and Fifth Day of *April* in every Year; the First Payment to become due on the Tenth Day of *October* One thousand eight hundred and thirteen.

Certificates to entitle to certain Annuities.

X. And be it further enacted, That all Persons and Corporations entitled to any of the Annuities hereby granted, 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 true Tenor and 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.

Annuities deemed Personal Estate.

† *Sic.*

Foreign Attachment.

XI. And

Annuities payable out of Consolidated Fund.

XI. And be it further enacted, That all the Annuities hereby granted shall be charged and chargeable upon and payable out of the Consolidated Fund of *Great Britain*, 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 shall be subject to Redemption by Parliament, in manner hereinafter mentioned.

Certificates assignable before Aug. 1, 1813.

XII. And be it further enacted, That all such Certificates as shall be delivered in manner hereinbefore mentioned, shall be assignable by Indorsement thereupon, made at any time before the First Day of *August* One thousand eight hundred and thirteen and no longer; and no such Certificate or Assignment thereupon shall be charged with any Stamp Duties whatever.

Bank on receiving Certificates, to give Credit in Books for Capital Stock therein mentioned; which Stock may be transferred.

XIII. And be it further enacted, 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, in respect of 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 Sum, forthwith to give credit in a Book or Books to be prepared for that Purpose, for the Capital Stock hereinbefore mentioned, in the said Annuities of Four Pounds *per Centum per Annum*; and the Persons, Bodies Politic or Corporate, to whose Credit such Capital Stock 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 Politic 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 *January* One thousand eight hundred and fourteen, transmit an attested Duplicate, fairly written on Paper, of the said Book or Books first hereinbefore mentioned, into the Office of the Auditor of the Receipt of His Majesty's Exchequer, there to remain for ever.

Deposit made.

XIV. And be it further enacted, That it shall and may be lawful to and for any Person or Persons who shall have subscribed for Debentures as aforesaid, to make a Deposit of Fifteen Pounds *per Centum* in manner hereinbefore mentioned, on such Sum as he or she shall so choose to subscribe, with the Chief 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 Subscriptions or Contributions, without any other Warrant to be had on that behalf), as a Security for making the future Payments on or before the Days or Times, and in the Proportions hereinafter limited and appointed in that behalf; that is to say, Fifteen Pounds *per Centum* on or before the Twenty first Day of *May* One thousand eight hundred and thirteen; the further Sum of Fifteen Pounds *per Centum* on or before the Eighteenth Day of *June* then next following; the further Sum of Twenty Pounds *per Centum* on or before the Sixteenth Day of *July* then next following;

Times of Payment of Subscription.

the

the further Sum of Fifteen Pounds *per Centum*, on or before the Twenty seventh Day of *August* then next following; the further Sum of Ten Pounds *per Centum*, on or before the Twenty fourth Day of *September* then next following; and the remaining Sum of Ten Pounds *per Centum*, on or before the Twenty ninth Day of *October* then next following.

XV. And be it further enacted, 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 the Purchase of the said Debentures; 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 said Debentures, 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 contribute for Infants.

XVI. And be it further enacted, That every Contributor, paying in the Whole of the Sums by them respectively subscribed as aforesaid, for the Purchase of Debentures, at any time on or before the Twenty third Day of *September* One thousand eight hundred and thirteen, 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 Four Pounds *per Centum per Annum*, from the Day of completing the same to the Twenty ninth Day of *October* One thousand eight hundred and thirteen, which Allowance is to be paid by the said Cashier or Cashiers out of the Money so contributed in pursuance of this Act, as soon as such respective Contributors, their Executors, Administrators, Successors and Assigns, shall have completed such Payment.

Contributors paying Subscriptions on or before Sept. 23. 1813, allowed Discount.

XVII. And be it further enacted, That the Debentures to be made forth under the Authority of this Act or of any other Act or Acts made and passed, or to be made and passed during the present Session of Parliament, shall be prepared and made out at the Receipt of His Majesty's Exchequer, in such Method and Form as any Three or more of the Commissioners of His Majesty's Treasury, or the Lord High Treasurer of *Great Britain* for the time being, shall think most safe and convenient; and may contain one common Sum or different Sums in the principal Monies: Provided always, that every such Debenture which shall have been or may be signed by the Auditor of the Receipt of His Majesty's Exchequer, or in his Name by any Person who shall have been or may be duly authorized by the said Auditor to sign the same, with the Approbation of any Three or more of the Commissioners of His Majesty's Treasury, or the Lord High Treasurer of *Great Britain* for the time being, in Writing under their or his Hands; and that every such Authority shall be duly registered in the Office from which such Debentures are to be issued, and Notice thereof published in the *London Gazette* before any Debenture signed by virtue of such Authority shall be put into Circulation.

Debentures to be of such Form as Treasury shall direct.

XVIII. And be it further enacted, That every such Contributor under this Act, or under the Act passed in the present Session of Parliament, intituled *An Act for granting Annuities to satisfy certain Exchequer Bills; and for raising a Sum of Money by Debentures for*

Ante, c. 41. Contributors entitled to receive Debentures bearing an Inte-

rest of 5 per  
Cent.

When Deben-  
tures paid off.

Manner of dis-  
charging Deben-  
tures.

As soon as Sub-  
scriptions com-

*the Service of Great Britain, his, her or their Executors, Administrators or Assigns, shall for every One hundred Pounds contributed and paid at the Bank of England, on producing a Certificate from the Cashier or Cashiers of the Governor and Company of the Bank of England, to the Auditor of the Receipt of His Majesty's Exchequer, that such Payment hath been completed, be entitled to have and receive from the said Auditor a Debenture for the Sum of One hundred Pounds, bearing Date on the Fifth Day of April One thousand eight hundred and thirteen, transferrable by Indorsement, and carrying an Interest at the Rate of Five pounds per Centum per Annum, payable to the Bearer thereof Half-yearly, at the Bank of England, on the Tenth Day of October and the Fifth Day of April in every Year, the First Payment thereon to be made on the Tenth Day of October One thousand eight hundred and thirteen; and the Principal Sums contained in such Debentures shall be payable in Money at the Office of the said Auditor, and Interest thereon shall cease on the Fifth Day of April One thousand eight hundred and fifteen, or on the Fifth Day of April in any succeeding Year during the Continuance of the War, on the Parties entitled to the same giving Three Calendar Months previous Notice in Writing at the Office of the said Auditor of the Receipt of the Exchequer, of their Intention to receive such Money, or shall be paid in Money, and the Interest shall cease on the Fifth Day of April next succeeding Twelve Months after the Ratification of a Definitive Treaty of Peace: Provided always, that the Persons possessed of or entitled to any such Debentures, or any Debenture made out or to be made out in pursuance of the said recited Act, shall and may have the Option at the Fifth Day of April or the Tenth Day of October in any Year until the same shall be payable, on giving Fourteen Days Notice in Writing to the Chief Cashier of the Governor and Company of the Bank of England, of receiving for each One hundred Pounds Principal Money contained in such Debentures, either the Sum of One hundred Pounds Capital Stock in Annuities after the Rate of Five Pounds per Centum per Annum; or the Sum of One hundred and twenty Pounds Capital Stock in Annuities after the Rate of Four Pounds per Centum per Annum; or the Sum of One hundred and Fifty Pounds Capital Stock in Reduced Annuities, after the Rate of Three Pounds per Centum per Annum; which said respective Annuities shall be payable and paid Half-yearly by even and equal Portions; that is to say, the said Annuities after the Rate of Five 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 and of Three Pounds per Centum, on the Tenth Day of October and the Fifth Day of April in every Year; the First Payment upon the said respective Annuities after the Rate of Four Pounds per Centum and of Three Pounds per Centum shall become due on the Fifth Day of April or the Tenth Day of October next after the time that such Debentures shall have been so converted into Stock; and the First Payment on the said Annuities after the Rate of Five Pounds per Centum per Annum shall become due on the Fifth Day of January or the Fifth Day of July next before the time the said Debentures shall have been converted into Stock as aforesaid.*

XIX. And be it further enacted, That as soon as any such Persons shall have declared their Intention of accepting any Capital Stock

Stock in either of the Annuities aforesaid in lieu of the said Debentures, such Capital Stock shall forthwith be in the Books of the Bank of England placed to the Credit of such respective Persons; and the Persons to whose Credit such Capital Stock 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 Politic or Corporate whatsoever, in the Books of the Bank of England; and the said Governor and Company of the Bank of England are hereby required, as soon as conveniently may be after such Option shall have been declared, to prepare proper Books for the Purpose of entering the Names of all such Persons, and of placing to their Credit the respective Capital Stocks as aforesaid; and the said Governor and Company are hereby required to cause such Stock to be forthwith placed to the Credit of the Persons entitled to the Annuities in respect thereof, in the Books of the said Bank of England; and such Stocks shall carry the respective Annuities after the Rate of Five Pounds *per Centum per Annum*, or of Four Pounds *per Centum per Annum*, or of Three Pounds *per Centum per Annum*, as the case may be, redeemable by Parliament; and shall respectively be taken and deemed to be Stock transferrable according to the true Intent and Meaning of this Act, until Redemption thereof, in such manner as is hereinafter mentioned.

pleted may be transferred.

XX. And be it further enacted, That all Debentures to be made forth by virtue of the said recited Act and this Act, and all Assignments thereof, shall be free from all Stamp Duties whatsoever.

Debentures free from Stamp Duty.

XXI. And, for the more easy and sure Payment of the Annuities established by this Act, it is hereby further enacted, 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 Lord 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 the 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 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.

Exchequer to issue Money to Bank for Payment of Annuities.

XXII. 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.

Accountant General to examine Cashiers' Accounts.

XXIII. And

Cashier to give Receipt for Subscriptions, assignable before Sept. 24, 1813.

Cashier to give Security for paying Money into Exchequer.

A Book to be kept in Accountant General's Office for entering Contributors' Names. Duplicate transmitted to Auditor of Exchequer.

Annuities Tax free.

Subscriptions paid in Part and not received, forfeited.

XXIII. 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 for Debentures as aforesaid, 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 at any time before the Twentieth Day of *September* One thousand eight hundred and thirteen, or so 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 of *Great Britain* for the time being, for duly answering and paying into the Receipt of His Majesty's Exchequer in *Great Britain* as after mentioned for the Public Use, all the Monies which they have already received, and shall hereafter receive from time to time in respect of the said Debentures, 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 of *Great Britain*, 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 no paid Allowance shall be made in his or their Accounts.

XXIV. 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 Names of the said 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 reasonable 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 eight hundred and fourteen, 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 of *Great Britain*, there to remain for ever.

XXV. And be it further enacted, That the several Annuities by the said Act and this Act granted shall be free from all Taxes, Charges and Impositions whatsoever.

XXVI. Provided always, and be it further enacted, 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 hereinbefore 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 Public, and all Right and Title to the said Debentures in respect thereof shall be extinguished; any thing in this Act contained to the contrary thereof in any wise notwithstanding.

XXVII. And

**XXVII.** And be it further enacted, That it shall be lawful for any three or more of the Commissioners of the Treasury, or the High Treasurer of Great Britain for the time being, to issue and apply from time to time all such Sums of Money as shall be so paid into the Exchequer of His Majesty's Exchequer of Great Britain, by the Admiralty or Cadets, to such Services as shall then have been ordered by the Commons of the United Kingdom of Great Britain and Ireland in this present Session of Parliament.

Treasury may apply Money paid into Exchequer.

**XXVIII.** And be it further enacted, That all the Debentures converted into Annuities after the Rate of Five Pounds per Centum per Annum, by virtue of this Act, or intended so to be, shall be deemed, reputed and taken to be One Capital or Joint Stock, and shall be added to and made Part of the Joint Stock of Annuities, 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, Thirty fourth, and Thirty fifth Years of the Reign of His present Majesty, and by several subsequent Acts, for granting Annuities to satisfy certain Navy, Victualling and Transport Bills, Debentures and Exchequer Bills; and that all and every Person or Persons, and Corporations whatsoever, in Proportion to the Stock 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.

Exchequer Bills and Annuities converted into Five per Cent. Annuities added to Five per Cent. already established.  
24 G. 3. Sess. 2. c. 39.  
25 G. 3. c. 32.  
34 G. 3. c. 21.  
35 G. 3. c. 32.

**XXIX.** And be it further enacted, That all the Debentures and Exchequer Bills converted into Annuities after the Rate of Four Pounds per Centum per Annum, by virtue of this Act, or intended so to be, shall be deemed, reputed and taken to be One Capital or Joint Stock, and shall be added to and made Part of 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 Stock 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.

Four per Cents. added to the Four per Cents.

**XXX.** And be it further enacted, That all the Debentures converted into Reduced Annuities after the Rate of Three Pounds per Centum per Annum by virtue of this Act, or intended so to be, shall be added to the Joint Stock of Annuities transferrable at the Bank of England, which by an Act made in the Twenty third Year of the Reign of His late Majesty were reduced from Four Pounds per Centum per Annum to Three Pounds per Centum per Annum, 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 several Acts by which the said Annuities after the Rate of Four Pounds per Centum per Annum were respectively granted, are directed in respect of the Annuities redeemable by virtue

Three per Cents. Reduced added to Three per Cents. Reduced.  
23 G. 2. c. 1.

thereof; and that all and every Person and Persons, and Corporations whatsoever, in Proportion to the Stock 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.

Mode of trans-  
ferring Stock.

XXXI. And be it further enacted, That the said Capital or Joint Stocks, or any Share or Interest therein, and the proportional Annuities 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 Capital or Joint Stock, or any Part thereof, and the proportional Annuities 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 Attornies 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 any such Transfer shall be made, shall respectively underwrite his, her or their Acceptance thereof; and that no other Method of assigning or transferring the said Capital or Joint 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: 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.

Forging Certifi-  
cates, &c.

XXXII. And be it further enacted, 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 Certificate or Certificates, Debenture or Debentures, directed to be made out by this Act, or any Assignment thereof, or Indorsement thereon, or shall alter any Number, Figure or Word in any such Certificate or Debenture, or in any Assignment thereof or Indorsement thereon, or utter or publish as true any such false, forged, counterfeited or altered Certificate or Certificates, Debenture or Debentures, or Assignment or Assignments thereof, or Indorsement or Indorsements thereon, with Intent to defraud His Majesty, or the Governor and Company of the Bank of England, or any Body Politic or Corporate, or any Person or Persons whomsoever, 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.

Death.

Forging Receipts  
for Contributions

XXXIII. And be it further enacted, 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 for the Purchase of Debentures, either with or without the Name or Names of any Person or Persons being inserted therein, as the Contributor or Contributors thereof, 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 Politic 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.

for Purchase of  
Debentures.

Death.

XXXIV. Provided also, and it is hereby further enacted, 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 as aforesaid, 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 for Purpose of Act.

XXXV. And be it further enacted, That no Fee, Reward or Gratuity whatsoever shall be demanded or taken 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 such Offence, forfeit the Sum of Twenty Pounds to the Party grieved, to be recovered with full 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 more than One Imparllance, shall be granted or allowed.

Fee taking.

Penalty.

XXXVI. Provided always, and be it further enacted, That the said Commissioners of the Treasury, or any Three or more of them, or the High Treasurer for the time being, shall have Power, and they are hereby authorized, out of all or any of the Aids or Supplies in the Receipt of His Majesty's Exchequer, to reward all such Persons as shall be any ways 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.

Treasury to reward Persons for their Services.

XXXVII. And be it further enacted, That it shall be lawful to and for the Governor and Company of the Bank of England to retain out of the said Contributions at the Rate of Eight hundred Pounds for every Million thereof, as an Allowance for the Service, Pains and Labour of the said Cashier or Cashiers employed in receiving, paying and accounting for the same, and also for the Service, Pains and Labour of the said Accountant General, for performing the Trust reposed in him by this Act; which Allowance, in respect of the Service, Pains and Labour of the said Cashier or Cashiers and Accountant General of the said Governor and Company, shall be

Bank to retain a certain Sum for their Services.

for the Use of the said Governor and Company, and at their Disposal only.

General Issue.

XXXVIII. And be it further enacted, 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 Judgment 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.

53 G. 3. c. 41.

§ 8.

Deposit on  
June 18, instead  
of June 25.

XXXIX. And whereas by an Act made in this present Session of Parliament, intituled *An Act for granting Annuities to satisfy certain Exchequer Bills; and for raising a Sum of Money by Debentures, for the Service of Great Britain*, it is enacted, that it should be lawful for every Person who should have delivered in any Exchequer Bill or Bills therein described, and who should be desirous of subscribing for the Purchase of Debentures to make a Deposit of Ten Pounds *per Centum*, as a Security for making the future Payments on or before the Days therein mentioned: And whereas one of the said Payments of Ten Pounds *per Centum* was by Mistake directed to be made on the Twenty fifth Day of June One thousand eight hundred and thirteen, instead of the Eighteenth Day of June One thousand eight hundred and thirteen; Be it therefore enacted, That it shall and may be lawful to and for every Person who shall have made such Deposit as aforesaid, to pay Ten Pounds *per Centum* on the Sums subscribed for the Purchase of Debentures, on the Eighteenth Day of June One thousand eight hundred and thirteen, instead of the said Twenty fifth Day of June One thousand eight hundred and thirteen, and shall be deemed to have made good his Payment in such and the like manner, to all Intents and Purposes, as if the Eighteenth Day of June One thousand eight hundred and thirteen had been inserted in the said Act.

Debentures lost  
or destroyed, &c.  
Proviso for.

XL. And whereas, if it shall so happen that any of the Debentures made out, or to be made by virtue of this Act, or of any other Act of the present Session of Parliament shall be burnt, lost or otherwise destroyed, or may become defaced, obliterated or incumbered with Assignments thereon; then in all or any of the said cases it shall and may be lawful for the Auditor of the Receipt of His Majesty's Exchequer to cause new Debentures to be made forth in his Office, to be signed by him, or by any Person authorized by him, according to the Directions contained in this Act, upon the Person or Persons entitled to such Debentures lost, burnt or otherwise destroyed, making Oath (if required) before any Magistrate duly authorized to administer the same, or to produce other full and sufficient Proof to the Satisfaction of the said Auditor that such Debentures have been burnt, lost or otherwise destroyed, provided that the Person or Persons do give Security to the King to the liking of the said Auditor, for redelivering such new Debentures into his Office to be cancelled if the Debenture or Debentures certified to have been lost, burnt or otherwise destroyed be hereafter produced; or in case that new Debentures be made out in lieu of Debentures defaced, obliterated

rated or otherwise incumbered as aforesaid, then such Debentures or Debenture shall be delivered up and cancelled, and the new Debentures or Debenture made out in lieu thereof shall be made payable to the Person or Persons who shall appear at that time to be lawfully entitled to the said Debentures or Debenture so to be delivered up and cancelled, and the said Auditor shall always take Care that such Entries or Memorandums be made upon the said new Debentures as may denote their being made in lieu of such Debentures or Debenture as may have been lost, burnt, destroyed, defaced, obliterated or incumbered as aforesaid, as the case may be, in order to secure the Public against any double Payments for or by reason of the making out new Debentures in the manner aforesaid.

XLI. And be it further enacted, That this Act may be altered, amended or repealed by any Act or Acts to be passed in this present Session of Parliament. Act repealed,  
&c.

## C A P. LIV.

An Act to amend an Act made in the Forty ninth Year of His Majesty's Reign, intituled *An Act for the further Prevention of the Sale and Brokerage of Offices.* [21st May 1813.]

WHEREAS an Act was passed in the Forty ninth Year of His Majesty's Reign, intituled *An Act for the further Prevention of the Sale and Brokerage of Offices*: And whereas it was by the said Act, amongst other things, provided, that nothing therein contained should extend or be construed to extend to any Purchases, Sales or Exchanges of any Commissions or Appointments in His Majesty's Yeoman Guard: And whereas no mention is made in said Act of His Majesty's Battle Axe Guards in Ireland, and it is reasonable that the said Battle Axe Guards should be also excepted from the Operation of the said Act; 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 nothing in the said Act contained, for preventing the Purchase, Sale, Exchange or Brokerage of Offices, shall extend or be construed to extend to any Purchases, Sales or Exchanges of any Commissions or Appointments in His Majesty's Battle Axe Guards in Ireland; any thing in the said Act contained to the contrary in any wise notwithstanding.

49 G. 3. c. 126.  
§ 7.

Not to extend to  
His Majesty's  
Battle Axe  
Guards in  
Ireland.

## C A P. LV.

An Act to continue until the Fifth Day of July One thousand eight hundred and fourteen, and to amend, several Acts for granting certain Rates and Duties, and for allowing certain Drawbacks and Bounties on Goods, Wares and Merchandize imported into and exported from Ireland; and to grant, until the said Fifth Day of July One thousand eight hundred and fourteen, certain new and additional Duties on the Importation, and to allow Drawbacks on the Exportation of certain Goods, Wares and Merchandize into and from Ireland. [3d June 1813.]

Most Gracious Sovereign,

45 G. 3. c. 18. **W**HEREAS an Act was made in the Forty fifth Year of His present Majesty's Reign, intituled *An Act for granting unto His Majesty until the Twenty fifth Day of March One thousand eight hundred and six, certain Rates and Duties, and to allow certain Drawbacks and Bounties on Goods, Wares and Merchandise imported into and exported from Ireland, in lieu of former Rates and Duties, Drawbacks and Bounties*: And whereas an Act was made

46 G. 3. c. 62. *An Act for granting unto His Majesty until the Twenty ninth Day of September One thousand eight hundred and six, certain Duties on the Importation, and to allow certain Drawbacks and Bounties on the Exportation of certain Sorts of Iron, Sugar, and Tea, into and from Ireland*: And whereas an Act was made in the Forty seventh

47 G. 3. Sess. 1. c. 31. Year of His present Majesty's Reign, to repeal Part of the Duties on the Importation of Unmanufactured Tobacco in *Ireland*: And whereas another Act was made in the Forty seventh Year of His

47 G. 3. Sess. 2. c. 16. present Majesty's Reign, intituled *An Act to grant to His Majesty until the Fifth Day of July One thousand eight hundred and eight, certain Duties on the Importation, and to allow certain Drawbacks on the Exportation of certain Goods, Wares and Merchandises into and from Ireland*: And whereas another Act was made in the Forty

47 G. 3. Sess. 2. c. 18. seventh Year of His present Majesty's Reign, to provide for the Decrease and Suspension in certain cases of Part of the Counter-*vailing Duty on British Refined Sugar imported into Ireland*: And

46 G. 3. cc. 12. 120. whereas such of the said recited Acts as were temporary have been

47 G. 3. Sess. 2. c. 1. from time to time continued by several Acts, passed in the Forty

48 G. 3. c. 80. sixth and Forty seventh Years of His present Majesty's Reign; and by an Act passed in the Forty eighth Year of His present

49 G. 3. c. 74. Majesty's Reign, the said recited Acts were amended and continu-*ed*; and by an Act made in the Forty ninth Year of His present

50 G. 3. c. 97. Majesty's Reign, the said recited Acts were further continued; and

51 G. 3. c. 58. by an Act made in the Fiftieth Year of His present Majesty's Reign, the said recited Acts were continued and further amended: And

51 G. 3. c. 86. whereas by an Act made in the Fifty first Year of His present Majesty's Reign, certain Duties were granted on *Cocoa Nuts imported into Ireland*: And whereas an Act was made in the Fifty

52 G. 3. c. 69. first Year of the Reign of His present Majesty, intituled *An Act to continue until the Fifth Day of July One thousand eight hundred and twelve, and to amend several Acts for granting certain Rates and Duties, and for allowing certain Drawbacks and Bounties on Goods, Wares and Merchandise, imported into and exported from Ireland; and to grant to His Majesty until the Fifth Day of July One thousand eight hundred and twelve, certain new and additional Duties on the Importation, and to allow Drawbacks on the Exportation of certain Goods, Wares and Merchandises into and from Ireland*: And

§ 1. whereas by an Act of the last Session of Parliament, all the several Acts hereinbefore recited were continued and are in force until and upon the Fifth Day of *July One thousand eight hundred and thirteen*; and it is expedient that all the said recited Acts and also the several Rates and Duties granted, and the Drawbacks and Bounties allowed by them or any of them, should be further continued in manner hereinafter mentioned; Be it therefore enacted by the King's Most Excellent Majesty, by and with the Advice and Consent

Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Rates and Duties granted, and the Drawbacks and Bounties allowed by the said recited Acts, or any of them, until and upon the Fifth Day of July One thousand eight hundred and thirteen, shall respectively continue and be in force throughout Ireland, upon and from and after the said Fifth Day of July One thousand eight hundred and thirteen, until and upon the Fifth Day of July One thousand eight hundred and fourteen (except the Rates, Duties and Drawbacks, upon the several Articles upon which new and other Rates, Duties and Drawbacks are by any of the said Acts or by this Act granted, imposed or allowed, and except such Drawbacks and Bounties on the Exportation of Sugar of the *British* Plantations, and on Refined Sugar, under the said recited Acts, or any of them, as are provided for by an Act made in the Forty seventh Year of His present Majesty's Reign, intituled *An Act to provide more effectually for allowing the Drawbacks and Bounties on the Exportation of Sugar from Ireland, and for allowing British Plantation Sugar to be warehoused in Ireland, until the Twenty fifth Day of March One thousand eight hundred and eight*; which said last recited Act by an Act passed in this present Session of Parliament, is continued until the Twenty fifth Day of March One thousand eight hundred and fourteen), and that the said recited Acts (except as aforesaid, and except also as they are altered or repealed by each other or by this Act, or by any other Act), and all the Powers and Provisions, Articles, Clauses, Matters and Things, contained in the said recited Acts, or any of them, shall be observed and complied with during the Term hereby granted, as fully and effectually as if the said Duties, Drawbacks and Bounties, and the said Powers, Provisions, Articles, Clauses, Matters and Things, had been by the said recited Acts, or any of them, extended to the Term hereby granted, and as if the Term hereby granted had made Part of the said recited Acts, or any of them; and that the several Articles, in respect whereof any Rate or Duty is granted or imposed or continued, or any Drawback or Bounty is allowed by the said recited Acts, or any of them, until and upon the Fifth Day of July One thousand eight hundred and thirteen, shall respectively be and remain liable to the Rates and Duties, and shall be entitled to the Drawbacks and Bounties (except as aforesaid) allowed in respect thereof, under the Regulations and Provisions of the said recited Acts, upon, from and after the Fifth Day of July One thousand eight hundred and thirteen, until and upon the Fifth Day of July One thousand eight hundred and fourteen, according to the true Intent and Meaning of this Act.

Rates and Duties further continued, &c.

47 G. 3. Sess 1. c. 17.

53 G. 3. c. 12.

Exception.

II. And whereas the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards raising the necessary Supplies granted to Your Majesty, and for the Support of Your Majesty's Government, have resolved to grant to Your Majesty the several new Duties hereinafter mentioned, upon certain Goods, Wares and Merchandize imported into Ireland; And do therefore most humbly beseech Your Majesty that it may be enacted; and be it therefore enacted, That, from and after the Seventh Day of May One thousand eight hundred and thirteen, and during the Continuance of this Act, there shall be raised, levied, collected and paid unto and for the Use of His Majesty, his Heirs

Additional Duties specified in Schedule paid on Importation of Goods, &c.

and Successors, in Ready-Money (except as hereinafter is provided), without any Discount whatever, upon the Importation of the several Goods, Wares and Merchandize mentioned and set forth in the Schedule to this Act annexed, imported into *Ireland*, the several Duties inserted, described and set forth in Figures in the said Schedule; and that there also shall be paid and allowed the several Drawbacks in respect of the said Duties as the same are respectively inserted, described and set forth in Figures in the said Schedule; and that the said Duties in the said Schedule specified shall be in addition to all Duties and Drawbacks payable in *Ireland* upon the Importation and Exportation of Goods, Wares and Merchandize of the like Sorts, under or by virtue of any Act or Acts of Parliament in force in *Ireland* immediately before the passing of this Act.

39 & 40 G. 3.  
c 67.  
40 G. 3. (1.) c 32.

Countervailing  
Duties on  
Cordage.

Duties on  
Cordage.

Drawback.

Drawback on  
Cocoa Nuts and  
Chocolate.

Duties and  
Drawbacks in  
British Currency.

III. And whereas it is expedient, pursuant to the Provisions of the Acts for the Union of *Great Britain* and *Ireland*, that in respect of the Duties by former Acts and this Act imposed on Hemp imported into *Ireland*, new and increased Countervailing Duties should be charged on Cordage being the Manufacture of *Great Britain* and imported from thence into *Ireland*, sufficient to countervail all the said Duties; Be it therefore enacted, That, from and after the passing of this Act, there shall be charged on all Cordage, the Manufacture of *Great Britain*, and imported from thence into *Ireland*, in lieu and full Satisfaction of all Countervailing Duties whatever payable on such Cordage under or by virtue of any Act or Acts in force in *Ireland* immediately before the passing of this Act, the several Countervailing Duties following; that is to say,

On all Cordage to be used as Standing Rigging or other Cordage made from topt Hemp, the Ton containing Twenty Hundred Weight, the Sum of Five Pounds Seven Shillings and Two pence:

On all Cordage of any other Sort, Cable Yarn, Packthread and Twine, the Ton containing Twenty Hundred Weight, the Sum of Five Pounds One Penny Three Farthings:

And that upon the Exportation of any Cordage manufactured in *Ireland* from Hemp which shall have paid the Duties by this Act imposed, and which shall be exported to *Great Britain* or elsewhere there shall be allowed and given a Drawback equal in Amount to the said Countervailing Duties respectively.

IV. And be it further enacted, That, upon the Exportation from *Ireland* of Cocoa Nuts, on which the additional Duties imposed by this Act shall have been paid, there shall be paid and allowed a Drawback after the Rate of Two Shillings and Six pence Three Farthings for every Pound Weight Avoirdupois thereof; and that upon the Exportation from *Ireland* (except to *Great Britain*) of any Chocolate made in *Ireland* from Cocoa Nuts which shall have been imported into *Ireland*, and for which the additional Duty imposed by this Act shall have been paid, and which shall be duly exported to Foreign Parts, there shall be paid and allowed a Bounty in the Nature of a Drawback, of Two Shillings and Four pence Halfpenny *British* Currency for every Pound Weight Avoirdupois of any such Chocolate.

V. And be it further enacted, That all the Duties and Drawbacks in and by this Act and the Schedule hereunto annexed, granted and allowed, specified, mentioned and contained, shall be paid and payable, and received and receivable, according to the Amount thereof

in

in *British* Currency, and that all the said Duties shall be carried to and made Part of the Consolidated Fund of *Ireland*; and that all the said Duties and all Drawbacks in and by this Act and the said Schedule granted and allowed, specified, mentioned and contained, according to the Tale, Weight, Measure, Gauge or Value of the said Articles respectively specified, and also in Proportion upon any greater or less Number, Weight, Quantity or Measure of such Articles, Matters and Things respectively.

VI. And be it further enacted, That the several and respective Duties by this Act granted on the Importation into *Ireland* of the Goods, Wares and Merchandize mentioned and set forth in this Act, and the Schedule thereto annexed, shall be charged and payable, on all such Goods, Wares and Merchandize as shall not have been entered on or before the said Seventeenth Day of *May* One thousand eight hundred and thirteen, or on which the Duties due and payable on the Importation thereof shall not have been paid, notwithstanding such Goods, Wares and Merchandize may have been imported into *Ireland* before the said Seventeenth Day of *May* One thousand eight hundred and thirteen, or before the passing of this Act.

VII. Provided always, and be it further enacted, That the Duties granted, mentioned and set forth in this Act and the said Schedule, shall be charged and payable on all such Goods, Wares and Merchandize therein mentioned as, having been imported into *Ireland*, shall have been or shall be warehoused, or shall have been secured, without the Duties due on the Importation thereof having been first paid, and shall remain or shall have remained so warehoused or secured, on or after the said Seventeenth Day of *May* One thousand eight hundred and thirteen, in pursuance or by Authority of any Act or Acts of Parliament in force for that Purpose, although such Goods, Wares or Merchandize may have been imported before the said Seventeenth Day of *May* One thousand eight hundred and thirteen: Provided always, that such Duties shall not be charged or payable on any such Goods, Wares or Merchandize until the Duties which such Goods, Wares or Merchandize shall have been subject to before the said Seventeenth Day of *May* One thousand eight hundred and thirteen shall be payable by Law.

VIII. Provided also, and be it enacted, That in all cases where the Whole or any Part of the Duties on the Importation of Goods, Wares and Merchandize into *Ireland* are permitted to be secured by Bond or otherwise, by virtue of any Act or Acts of Parliament in force in *Ireland* at the time of such Importation, the Duties by this Act and the Schedule thereto annexed, granted or imposed may, in like manner, and under the same Rules, Regulations, Restrictions and Conditions, be permitted to be secured by Bond or otherwise.

IX. And be it further enacted, That all Wines which at any time before the Seventeenth Day of *May* One thousand eight hundred and thirteen, shall have been imported, the Duties payable upon the Import of which shall not have been duly paid and discharged, shall be considered as Wines remaining in His Majesty's Stores or Warehouses on the said Seventeenth Day of *May* One thousand eight hundred and thirteen, and at the time of the passing of this Act, and shall be charged accordingly; and the Proprietor thereof shall be subject to the additional Duties on the Importation thereof, mentioned, contained

Duties payable  
on Goods not  
entered before  
May 17, 1813;

and on such as  
shall be ware-  
housed on or  
after that Day.

Provida.

Duties secured  
by Bond.

Wines, Duties  
of which shall  
not have been  
paid on or before  
May 17, liable to  
additional Duty.

Duties of Excise  
on Wine.

tained and set forth in the Schedule or Table hereunto annexed marked (A.), over and above all former Duties payable on the same.

X. And be it further enacted, That there shall be raised, levied, collected and paid, unto and for the Use of His Majesty, his Heirs and Successors, for and upon all Wines which, on or at any time after the Seventeenth Day of *May* One thousand eight hundred and thirteen, shall have been or shall be in the Stores or Warehouses, or in the Custody, Power or Possession of any Merchant or Importer of, or Dealer in, or Seller or Retailer of Wine in *Ireland*, and which shall have been charged with or paid the Duties payable on the Importation thereof under or by virtue of any Act or Acts in force in *Ireland* at the passing of this Act, the respective additional Duties of Excise following; that is to say,

For and upon each and every Tun of *French* Wine the Sum of Thirty three Pounds Thirteen Shillings and Four pence :

For and upon each and every Tun of *Rhenish, Germany* and *Hungary* Wines, the Sum of Twelve Pounds Fifteen Shillings and Two pence :

For and upon each and every Tun of *Maderia* Wine, the Sum of Eight Pounds Six Shillings and Seven pence :

And for and upon each and every Tun of any other Sort of Wines, not otherwise enumerated, the Sum of Eight Pounds Six Shillings and Four pence, and so in Proportion for any greater or less Quantity of such Wines respectively.

Regulations for  
ascertaining  
Stock of Wine.

XI. And, for ascertaining the Stock of all Foreign Wines belonging to all Merchants, Importers of, Factors and Dealers in, or Sellers or Retailers of Foreign Wines, on or at any time after the Seventeenth Day of *May* One thousand eight hundred and thirteen, and for securing the additional Duties by this Act imposed thereon, be it further enacted, That every such Merchant, Importer of, Dealer in, or Seller or Retailer of Foreign Wines in *Ireland*, who shall respectively have any such Wines in his, her or their Possession in any Warehouse, Store Room, Shop, Cellar, Vault or other Place, or in the Custody or Possession of any other Person for his or their Use (other than and except such Wines as may be in any of His Majesty's Warehouses for Security of the Duties thereon), shall within Fourteen Days after the passing of this Act deliver at the Office of the Collector of Excise of the District in which such Wine shall have been on the said Seventeenth Day of *May* One thousand eight hundred and thirteen, or any other Day between that Day and the Day of the making such Return, inclusive, a just, true and particular Account in Writing of the Quantity of all the Foreign Wine which on the said Seventeenth Day of *May*, or on any Day between that Day and the Day of making the said Return, inclusive, shall have so been in the Custody or Possession of such Merchant, Importer of, Dealer in, Seller or Retailer of Foreign Wine, in every such Warehouse or other Place, or in the Custody or Possession of any Person for his or her Use (except as aforesaid), describing the Places in which the same shall be, and the Situation thereof, and distinguishing such Foreign Wines from each other according to the true Denomination thereof as the same are hereinbefore described; and also distinguishing whether such Wines are Red or White; and all Wines in Bottles shall be accounted for according to the Number of Bottles, without expressing the Number of Gallons

of



of Wine contained in such Bottles, but estimating the Number of such Gallons in the Whole, by a fair Calculation made on the actual Content of any given Number of such Bottles indifferently chosen; and every such Merchant, Importer of, or Dealer in, or Seller or Retailer of Foreign Wine, shall make Oath, or if a Quaker, a solemn Affirmation, before the Collector of Excise of the District, that such Account is a just, true and perfect Account of all such Wines as aforesaid, which Oath or Affirmation such Collector is hereby authorized to administer; and every such Merchant, Importer, Dealer, Seller, Retailer or other Person who shall neglect to deliver or cause to be delivered such Account within the time aforesaid, and to make such Oath or Affirmation, or who shall deliver or cause to be delivered any false or untrue Account, shall forfeit the Sum of Two hundred Pounds; and all such Foreign Wines of which such Account shall not be delivered, or of which any false or untrue Account shall be delivered, shall also be forfeited, together with the Casks, Bottles, Jars, Vessels, Hogsheads and Packages, containing the same respectively, and shall and may be seized by any Officer or Officers of His Majesty's Revenue in *Ireland*.

XII. And be it further enacted, That, for the Purposes of this Act, it shall and may be lawful for any Officer or Officers of Excise, from time to time to enter into all or any of the Warehouses, Storehouses, Rooms, Shops, Cellars, Vaults and other Places of any such Merchant, Importer of, or Dealer in or Seller of Foreign Wine, whether by Wholesale or Retail, and into any Place where any Wine belonging to any such Merchant, Importer or Dealer in or Seller or Retailer of Wine shall be, and by tasting, gauging or otherwise, to take an Account of the Quality and Quantity of all Wine then and there found in the Custody of or belonging to any such Merchant, Importer, Dealer, Seller or Retailer, in any Cask, or in any Vessel except Bottles, and also to take an Account of all such Wine as shall then and there be found in Bottles in any other manner than by tasting the same, or by uncorking and opening the Bottles containing such Wine, unless with the Consent of the Proprietor, for the Purpose of ascertaining the Number of Gallons therein, in manner aforesaid; and in case of Refusal of such Consent, each Bottle shall be deemed to contain the Quantity which its common Denomination of Pint, Quart, Two Quarts, and so forth, imports; and if any Officer or Officers of Excise shall not, on Demand made by him or them, at any such Warehouse, Storehouse, Room, Shop, Cellar, Vault or other Place, be admitted therein, or shall not be suffered to take an Account of all Wines in manner aforesaid, or if such Merchant, Importer, Dealer, Seller, Retailer or Person having the Custody or Possession of such Wines, shall neglect or refuse to shew or cause to be shewn to such Officer all the Wines in every such Warehouse or other Place respectively, such Person respectively, into or at whose Warehouse or other Place such Officer shall not be admitted, or shall not be suffered to take such Account respectively, and every such Person who shall refuse or neglect to shew or cause to be shewn to such Officer all such Wines as aforesaid, shall, for every such Offence or Default respectively, forfeit the Sum of Two hundred Pounds.

XIII. And be it further enacted, That in case of any Dispute between the Officer of Excise and any such Merchant or Importer of, Dealer

Oath.

Penalty.

Officers may enter Warehouses, &amp;c. of Dealers in Wine, to take Account.

Penalty.

Samples taken of Wine, on Payment.

Dealer in or Seller of Foreign Wine, as to the Nature or Species of any particular Wine, and the Country of which it is the Growth or Manufacture, it shall and may be lawful for any Officer of Excise, and every such Officer is hereby authorized and empowered to take at any time or times a Sample or Samples, not exceeding One Quart of any such Foreign Wine, whether in Bottles or in Casks, or in any other Vessel or Vessels, paying for the Wine the usual Price thereof; and if such Officer or Officers shall not be permitted to take such Sample or Samples as aforesaid, upon his offering to pay for the same, after the Rate aforesaid, or shall in any wise be obstructed or hindered by any Person or Persons whatever in taking such Sample or Samples, the Merchant or Importer of, or Dealer in, or Seller or Retailer of such Wine, or other Person in whose Custody such Wine shall be, shall, for each and every, such Offence, forfeit the Sum of One hundred Pounds.

**Obstruction.**

**Penalty.**

**Returns made of Amount of Duties.**

XIV. And be it further enacted, That all and every such Officer and Officers of Excise who shall take such Account of such Wines, shall make a Return or Report of the same to the Collector of Excise of the District, and shall insert in such Return or Report the Amount of the Duties hereby charged and payable thereon; and the Sums charged in such Return or Report shall be a Charge on such Merchant or Importer of, Dealer in, or Seller or Retailer of Wine, or other Person or Persons who shall pay the said Duty accordingly, in case such Return or Report shall contain a greater Quantity of Wines than shall be comprized in the respective Accounts hereinbefore directed to be returned by the Parties respectively to whom such Wine shall belong, otherwise the Account given by such Merchant, Importer or other Person, shall be and become a Charge on such Merchant, Importer or other Person, of such Duty on the Quantity of Wine contained in such Account; and such Merchant, Importer or other Person, shall pay the said Duty accordingly; and where no such Account shall have been returned by such Merchant, Importer or other Person, the Return made by the Officer under this Act shall be a conclusive Charge on such Merchant, Importer or other Person; and such Merchant, Importer or other Person, shall pay the said Duty so charged within One Calendar Month after such Return shall be made; and in case such Merchant, Importer or other Person, shall neglect or refuse to pay such Duty within such Calendar Month, such Merchant, Importer or other Person, shall forfeit the Sum of One hundred Pounds, and double the Amount of the Duties so charged and payable.

**Penalty.**

**When Duty shall amount to 100l. Bond given for Payment.**

XV. Provided always, and be it further enacted, That whenever the additional Duties imposed by this Act upon any Wines in the Custody, Power or Possession of any Merchant, Importer of, Dealer in or Seller or Retailer of Wine in *Ireland*, shall amount to the Sum of One hundred Pounds or upwards, then and in such case it shall and may be lawful for any such Merchant, Importer, Dealer or other Person chargeable with the said additional Duties on Wines, in respect of such Wines in his or her Stock or Possession, to give Security by Bond to His Majesty, with Two sufficient Sureties, to be approved of by the Collector of the District in which such Merchant, Importer or other Person resides, which Bond such Collector is hereby authorized to take for His Majesty's Use, in a Penalty of not less than double the Amount of the said additional Duties, conditioned, that

that such Merchant, Importer, Dealer or other Person shall pay the Amount of the said additional Duty on or before the Twenty fifth Day of *December* One thousand eight hundred and thirteen, by Three equal Instalments; the First of such Instalments to be paid on the Thirty first Day of *August* One thousand eight hundred and thirteen; the Second of such Instalments to be paid on the Thirtieth Day of *November* One thousand eight hundred and thirteen; and the Third and last Instalment on or before the Thirty first Day of *December* One thousand eight hundred and thirteen.

XVI. And be it further enacted, That if any Merchant, Importer of, Dealer in or Seller or Retailer of any such Wines, shall have sold, or shall sell the same or any Part thereof, before Payment of the respective additional Duties by this Act imposed, and shall be desirous of removing the same out of his Stock, no Permit shall be granted for the Removal thereof; nor shall such Wine, or any Part thereof, be removed either in Quantities requiring a Permit, or in Quantities not requiring such Permit, unless the said additional Duties and all Duties of Customs and Excise due on such Wine to be so removed shall have been previously paid; and in case any Wine shall be removed on which all the Duties payable thereon shall not have been paid and satisfied, the Merchant, Importer of, or Dealer in, or Seller or Retailer of such Wines out of whose Stock such Wine shall be so removed, shall forfeit and pay double the Amount of the Duty payable for the Wine so removed, and shall also forfeit the Sum of One hundred Pounds.

No Permit granted for Removal of Wine till Duty paid.

Penalty.

XVII. And be it further enacted, That if any Merchant, Importer, Dealer or other Person who shall be charged with or liable to the additional Duties on Wines under this Act shall pay the same, or any Part thereof, before the Expiration of the respective times when the same are by this Act required to be paid as aforesaid, every such Person shall be allowed as a Discount for prompt Payment, a Sum out of such Duties as such Merchant, Importer or Dealer or other Person, shall so pay, after the Rate of Six Pounds *per Centum per Annum*, for such time as any Sum shall be paid before the time when the same is by this Act required to be paid.

Discount for prompt Payment.

XVIII. Provided also, and be it enacted, That if any Merchant, Importer, Dealer or other Person who shall be charged with the additional Duties by this Act imposed on any Wine in his or her Possession, shall have sold or contracted to sell any such Wine to any Person or Persons, and shall not have delivered the same to the Buyer thereof, then and in every such case the Buyer of the said Wine shall not be entitled to claim the Delivery of such Wine without first paying the additional Duty which such Seller shall have been charged with or paid for such Wine under the Provisions of this Act.

Buyer of Wine not delivered, charged with new Duty.

XIX. And be it further enacted, That the several Rates and Duties and Drawbacks in and by this Act, and the Schedule thereto annexed, granted and allowed, mentioned and specified; and all and every the Fines, Penalties and Forfeitures under this Act, shall be raised, levied, collected, paid and applied, in the same manner, and under such Powers and Authorities; and by such ways and methods, and under such Rules and Directions as are appointed, directed and expressed for the raising, collecting, levying and paying and managing of Duties and Drawbacks payable on Goods, Wares and Merchandize imported into and exported from *Ireland*, or for the levying and

Duties and Drawbacks levied and paid as former Duties and Drawbacks.

applying any Fines, Penalties or Forfeitures in and by an Act of Parliament made in *Ireland*, in the Fourteenth and Fifteenth Years of the Reign of His late Majesty King *Charles* the Second, intituled *An Act for settling the Excise or new Impost upon His Majesty, his Heirs and Successors, according to the Book of Rates therein inserted*; or in and by an Act made in the Forty sixth Year of His present Majesty's Reign, intituled *An Act to provide for the better Execution of the several Acts relating to the Revenues, Matters and Things, under the Management of the Commissioners of Customs and Port Duties, and of the Commissioners of Inland Excise and Taxes in Ireland*, or in and by any other Act or Acts in force in *Ireland* relating to the Revenue of Customs and Excise, or either of them, as fully and effectually to all Intents and Purposes, as if the same Powers and Authorities, Rules and Directions, Penalties and Forfeitures, were herein expressed and enacted, with the like remedy of Appeal to and for the Party or Parties aggrieved, as in and by the said Act, passed in the Fourteenth and Fifteenth Years of the Reign of His late Majesty King *Charles* the Second, or in and by any other Act or Acts as aforesaid is provided.

Appeal.

Continuance.

Act altered, &amp;c.

XX. And be it further enacted, That this Act shall be and continue in force until and upon the Fifth Day of *July* One thousand eight hundred and fourteen, and no longer.

XXI. And be it further enacted, That this Act, or the Acts hereby continued, or any of them, may be altered, amended or repealed, by any Act to be made in this present Session of Parliament.

## SCHEDULE (A.)

ADDITIONAL DUTIES of CUSTOMS payable on the Importation into *Ireland* of the Goods, Wares and Merchandize therein enumerated, not being the Growth, Produce or Manufacture of Great Britain, and of the Drawbacks to be allowed on the Exportation thereof from *Ireland*.

	Duty.			Drawback.		
	£	s.	d.	£	s.	d.
Tobacco, unmanufactured, the 100lbs. (being after the Rate of 1 <sup>d</sup> $\frac{3}{8}$ per lb.)	0	12	9 $\frac{1}{2}$	0	12	9 $\frac{1}{2}$
Coffee, the Produce of any Country or Place whatever, the lb.	0	0	1	0	0	1
Wine, the Tun of 252 Gallons, viz.						
— French, imported in Shipping of the United Kingdom	33	13	4	33	13	4
— in Foreign Shipping	34	5	10	34	5	10
— Rhenish, Germany and Hungary Wines, imported in Shipping of the United Kingdom	12	15	2	12	15	2
— in Foreign Shipping	13	19	1	13	19	1
Wine, Madeira, imported in Shipping of the United Kingdom	8	6	7	8	6	7
— in Foreign Shipping	8	16	9	8	16	9
— Portugal, Spanish and Canary Wines, and all Wines of the Dominions of Spain, and the Wines of Sicily and Naples, and all other						

Wines

SCHEDULE (A.)—continued.

	Duty	Drawback
	£ s. d.	£ s. d.
Wines not otherwise enumerated or described, imported in Shipping of the United Kingdom	8 6 4	8 6 4
_____ in Foreign Shipping	8 16 9	8 16 9
Almonds of all Sorts, Cyder, Cloves, Cocoa Nuts, Corks ready made, Currants, Figs, Ginger, Hemp, Lemons and Oranges, Liquorice Ball or Juice, Liquorice Powder, Liquorice Root, Nutmegs, Oil of all Sorts, Pepper, Pimento, Raisins, Rice, Rosin, Turpentine, Vinegar or Verjuice, and Wax, for every £100 of the Produce and Amount of the Duties of Customs due and payable thereon, an additional Duty of	18 15 0	—
DRAWBACK.		
For every £100 of the Produce and Amount of the Drawbacks of the Duties of Customs allowed on the Exportation thereof, an additional Drawback of	—	18 15 0
_____		
All other Goods, Wares and Merchandize (except Raw Silk, Salt, Tea, Sugar and Cotton Wool) for every £100 of the Produce and Amount of the Duties of Customs due and payable thereon, an additional Duty of	25 0 0	—
DRAWBACK.		
For every £100 of the Produce and Amount of the Drawbacks of the Duties of Customs allowed on the Exportation thereof, an additional Drawback of	—	25 0 0

C A P. LVI.

An Act to grant to His Majesty certain Duties of Excise in Ireland on Malt. [3d June 1813.]

Most Gracious Sovereign,  
 WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, towards raising the necessary Supplies, have freely and voluntarily resolved to give and grant unto Your Majesty the Duties hereinafter 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, within and through that Part of the United Kingdom called Ireland, there shall be granted, raised, levied, collected, paid

Duties on Malt.

paid and satisfied, unto and for the Use of His Majesty, his Heirs and Successors, the several Duties of Excise following; that is to say,

**Additional  
Duty.**

For and upon every Barrel of Malt which shall have been, or shall be in the Possession of any Person in *Ireland*, at any time on or after the Seventeenth Day of *May* One thousand eight hundred and thirteen, and before the Expiration of Ten Days after the passing of this Act; and which shall have been charged or chargeable with the Duty payable thereon, under or by virtue of any Act or Acts in force in *Ireland* immediately before the passing of this Act, a Duty of Three Shillings *British* Currency, in addition to the Duty with which such Malt shall have been so charged or chargeable under any such Act or Acts:

**Duties.**

For and upon every Barrel of Malt ground or unground, which at any time or times from and after the Expiration of Ten Days after the passing of this Act shall be made of Barley or any other Corn or Grain in *Ireland*, by any Person or Persons whomsoever, whether the same shall be or shall not be for Sale, the Sum of Thirteen Shillings *British* Currency, and so proportionably for any greater or less Quantity, to be paid by the Maker or Makers thereof respectively, in lieu of all Duty payable thereon, under or by virtue of any Act or Acts in force in *Ireland* immediately before the passing of this Act.

**Paid by Maker.**

39 & 49 G. 3.  
c. 67.  
40 G. 3. (1.) c. 68.

‘ II. And whereas it is expedient, pursuant to the Provisions of the Acts for the Union of *Great Britain* and *Ireland*, that in respect of all increased and additional Duties imposed on Malt made in *Ireland*, increased Countervailing Duties should be charged upon Malt and upon Beer or Ale made in *Great Britain*, respectively imported from thence into *Ireland*, sufficient to countervail the said increased and additional Duties;’ Be it therefore enacted, That, from and after the Seventeenth Day of *May* One thousand eight hundred and thirteen, there shall be charged on all such Malt, and on all such Beer or Ale, the Countervailing Duties following in lieu and full Satisfaction of all Countervailing Duties whatever, payable upon such Malt, or on such Beer or Ale, under or by virtue of any Act or Acts of Parliament in force in *Ireland* immediately before the passing of this Act; that is to say,

**Countervailing  
Duties to be  
paid on Malt  
and Beer.**

For and upon every Barrel of Malt made in *Great Britain*, and imported directly from thence into *Ireland*, the Sum of Thirteen Shillings *British* Currency :

For and upon every Barrel of Beer or Ale, containing Thirty two Gallons, brewed or made in *Great Britain*, and imported from thence into *Ireland*, the Sum of Ten Shillings *British* Currency :

And that upon the Exportation from *Ireland* to *Great Britain* of any Malt, or of any Beer or Ale made or brewed in *Ireland* from Malt, on which the Duties payable under this Act shall have been fully paid and satisfied respectively, there shall be allowed and given a Drawback equal in Amount to the Countervailing Duty hereby granted on Malt and on Beer or Ale made in *Great Britain*, and imported from thence into *Ireland*; and such Drawback shall be in lieu of all Drawbacks payable by virtue of or under any Act or Acts in force in *Ireland* immediately before the passing of this Act, in respect of such Malt or Beer or Ale exported from *Ireland* to *Great Britain*.

**Drawback.**

III. And he it further enacted, That, in lieu and instead of all former Drawbacks on Malt or on Beer or Ale made in Ireland, and exported to any other Place than Great Britain, there shall be paid to every Person who shall legally export from Ireland to any other Place than Great Britain, any Malt or any Strong Beer or Ale made or brewed in Ireland from Malt, on which the Duties payable under this Act shall have been fully paid and satisfied, the Drawbacks or Allowances following; that is to say,

Drawbacks on Malt or Beer allowed.

For every Barrel of such Malt, the Sum of Thirteen Shillings British Currency;

And for every Barrel of such Beer or Ale, the Sum of Ten Shillings British Currency:

And all the said Drawbacks shall be paid by the Collector of Inland Excise and Taxes of the District from which such Malt or Beer or Ale shall be exported, out of any Money in his Hands, on such Certificate from the Collector, Comptroller or other Chief Officer of the Port from whence the same shall be exported, as is required by an Act made in the Forty seventh Year of His present Majesty's Reign, intituled *An Act to grant to His Majesty, until the Fifth Day of July One thousand eight hundred and eight, certain Duties on the Importation, and to allow Drawbacks on the Exportation of certain Goods, Wares and Merchandizes, into and from Ireland; in case of Drawbacks on Exportation of Goods in respect of any internal Duty of Excise paid thereon.*

47 G. 3. Sess. 2. c. 26.

IV. Provided always, and be it enacted, That the several Drawbacks or Allowances payable under any Act or Acts in force, immediately before the passing of this Act, upon Malt or upon Beer or Ale exported from Ireland to Great Britain, or elsewhere, shall continue to be paid and allowed on all Malt, and on all Beer or Ale so exported, upon which the additional or increased Duty in respect whereof the increased Drawbacks are given and allowed by this Act, shall not have been fully paid and satisfied; Provided also, that the increased Drawbacks and Allowances by this Act made payable, shall not be paid or allowed on any Malt, or on any Beer or Ale so exported, unless the Persons respectively who shall export such Malt, or Beer or Ale respectively, shall make Oath that the additional or increased Duties on account of which such Drawbacks shall be required respectively, have been fully paid and satisfied; and shall also perform all such Requisites, and comply with such Regulations and Restrictions as are or shall be required to be performed and observed by Persons exporting any Article whereon any Drawback or Bounty is payable for obtaining the same.

Regulations for obtaining Drawback.

V. And, in order to secure the additional Duty of Three Shillings per Barrel on Malt imposed by this Act, be it enacted, That any Officer or Officers of Excise in Ireland shall and may take an Account of the just and true Quantity of all Malt, whether ground or unground, in the Possession of any Person in Ireland at any time on or after the Seventeenth Day of May, and on or before the Expiration of Ten Days after the passing of this Act, in such manner as such Officer or Officers is or are now required by Law to take an Account of any Malt; and such Officer shall make a Return or Report in Writing to the Collector of the District in which such Person shall reside, or in which his or her Malt House or Stores shall be situated, of the just and true Quantity of all such Malt, and of the Amount of

Officer to take Account of Malt in Possession, and make a Return to Collector,

the additional Duties payable thereon under and by virtue of this Act, over and above the Duty theretofore paid or payable thereon; and such Return or Report shall be a Charge on every such Person respectively.

Additional Duty paid within One Month after Charge made.

VI. And be it further enacted, That all Persons charged with the said additional Duty on Malt shall within One Calendar Month from the time they shall be charged therewith, pay to the Collector of the District all such Duty as shall be due from them respectively, for or on account of any such additional Duty, unless such Malt shall be sooner removed, in which case the said additional Duty shall be paid for all such Malt, before the same shall be removed, and before any Permit for removing or conveying the same shall be granted.

Neglecting Payment of Duty, &c.

VII. And be it further enacted, That every Person so having Malt in his or her Possession, who shall not within the time aforesaid pay the additional Duty so charged on all such Malt, or who shall remove any such Malt without having paid or cleared the said additional Duty, or in whose Stock Account kept by any Officer of Excise, there shall appear to have been any Decrease of such Malt, without having obtained from the proper Officer a Permit authorizing the Removal of such Malt so deficient, shall be liable to and shall pay Double the Amount of such additional Duty chargeable on such Malt, and shall also forfeit the Sum of Twenty Pounds for each Offence.

Penalty.

Duties and Drawbacks how levied and paid.

VIII. And be it further enacted, That the several Duties and Drawbacks by this Act granted and allowed and made payable, and all Penalties and Forfeitures under this Act, shall be raised, levied, collected, paid, sued for, recovered and applied, in such manner and under such Powers and Authorities, and by such ways and methods, and according to such Rules and Directions, and under such Penalties and Forfeitures as are appointed, directed and expressed, for the raising, collecting, paying, levying, allowing and managing any Duties or Drawbacks, or for the Recovery of any Penalties or Forfeitures in and by an Act made in *Ireland* in the Fourteenth and Fifteenth Years of His late Majesty King *Charles* the Second, intituled *An Act for settling the Excise or new Impost upon His Majesty, his Heirs or Successors, according to the Book of Rates therein inserted*, or in and by an Act made in the Forty sixth Year of His present Majesty's Reign, intituled *An Act to provide for the better Execution of the several Acts relating to the Revenues, Matters and Things, under the Management of the Commissioners of Customs and Port Duties, and of the Commissioners of Inland Excise and Taxes in Ireland*, or in or by any other Act or Acts in force in *Ireland* relating to the Revenue of Customs and Excise, or either of them, as fully and effectually to all Intents and Purposes as if the same were herein expressed and enacted, with the like remedy of Appeal to and for the Party or Parties aggrieved, as in and by the said recited Act made in the Fourteenth and Fifteenth Years of His late Majesty King *Charles* the Second, or any other Act or Acts as aforesaid is provided; and that all and every Act and Acts in force in *Ireland* relating to the Duties of Excise on Malt, and all Powers, Rules and Regulations, Penalties, Clauses, Matters and Things therein contained, shall extend and be construed to extend to the raising, levying and collecting the new and additional Duties by this Act granted on Malt, as fully and effectually to all Intents and Purposes as if the same were repeated and re-enacted in this Act.

14 & 15 Car. 2.  
(1.) Sess. 4. c. 8.

46 G. 3. c. 106.  
&c.

Appeal.

IX. And



IX. And be it further enacted, That this Act may be altered, amended or repealed by any Act or Acts to be made in this present Session of Parliament. Act altered, &c.

## C A P. LVII.

An Act to grant to His Majesty certain Duties of Excise in *Ireland* on Tobacco. [3d June 1813.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland*, in Parliament assembled, towards raising the necessary Supplies, have freely and voluntarily resolved to give and grant unto Your Majesty the Duties hereinafter 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 within and through that Part of the United Kingdom called *Ireland*, there shall be raised, levied, collected, paid and satisfied, unto and for the Use of His Majesty, his Heirs and Successors, the several Duties of Excise following; that is to say,

For and upon every Pound Weight of unmanufactured Tobacco which at any time or times on or after the Seventeenth Day of *May* One thousand eight hundred and thirteen, and before the Expiration of Ten Days after the passing of this Act, shall have been or shall be in the Custody or Possession of any Manufacturer or Manufacturers of Tobacco in *Ireland*, and which shall have been charged or chargeable with the Excise Duty payable thereon under or by virtue of any Act or Acts in force in *Ireland* immediately before the passing of this Act, an Excise Duty of Four pence in Addition to the Duty of Excise with which the same shall have been so charged or chargeable under any such Act or Acts: Additional Duty.

For and upon every Pound Weight of Tobacco which at any time or times after the Expiration of Ten Days after the passing of this Act, shall be delivered out of any of His Majesty's Warehouses, or out of the Custody of any Officer or Officers of the Customs for Manufacture in *Ireland*, an Excise Duty of One Shilling and Eleven pence, and so in Proportion for any greater or lesser Quantity, and to be charged on and paid by the Person or Persons to whom the same shall be delivered for Manufacture at the time when the said Tobacco shall be so delivered out of Warehouse; which said Excise Duty shall be in lieu and full Satisfaction of all Duties of Excise granted on such Tobacco by any former Act or Acts of Parliament in force in *Ireland*. Duties.

II. And whereas it is expedient, pursuant to the Provisions of the Acts for the Union of *Great Britain* and *Ireland*, that in respect of the increased and additional Duties imposed on Tobacco imported into and manufactured in *Ireland*, increased Countervailing Duties should be charged upon Tobacco and Snuff, the Growth, Produce or Manufacture of *Great Britain*, imported from thence into *Ireland*, sufficient to countervail the said increased and additional Duties; Be it therefore enacted, That, from and after the Seventh 39 & 40 G. 2.  
c. 67.  
40 G. 3. (1) c. 38.

Tobacco and  
Snuff.

teenth Day of *May* One thousand eight hundred and thirteen, there shall be charged on all such Tobacco and Snuff, the Countervailing Duties following, in lieu and full Satisfaction of all Countervailing Duties whatsoever, payable upon such Tobacco or Snuff, under or by virtue of any Act or Acts of Parliament in force in *Ireland*, immediately before the passing of this Act; that is to say,

Duties on  
Tobacco.

For and upon every Pound Weight Avoirdupois of unmanufactured Tobacco, the Growth or Produce of *Great Britain*, the Sum of Two Shillings and Eight pence :

For and upon every Pound Weight of *British*-manufactured Short Cut Tobacco, or Tobacco manufactured into what is commonly called or known by the Name of *Spanish*, the Sum of Two Shillings and Eight pence :

For and upon every Pound Weight of *British*-manufactured Shag Tobacco cut, the Sum of Two Shillings and Four pence :

For and upon every Pound Weight of *British*-manufactured Roll Tobacco, the Sum of Two Shillings and Eight pence :

For and upon every Pound Weight of *British*-manufactured Carrot Tobacco, the Sum of Two Shillings and Four pence :

For and upon every Pound Weight of every other Sort of *British*-manufactured Tobacco not hereinbefore enumerated or described, the Sum of Two Shillings and Eight pence :

Duties on Snuff.

For and upon every Pound Weight Avoirdupois of *British*-manufactured Rappee Snuff, the Sum of Two Shillings and Two pence :

For and upon every Pound Weight of *British*-manufactured Snuff called *Scotch Snuff*, the Sum of Three Shillings and Four pence :

For and upon every Pound Weight of *British*-manufactured Snuff called *Brown Scotch Snuff*, the Sum of Two Shillings and One Penny :

For and upon every Pound Weight of *British*-manufactured Stalk Flour, the Sum of Three Shillings and Two pence :

For and upon every Pound Weight of every other Sort or Kind of *British*-manufactured Snuff or Snuff Work, not hereinbefore enumerated or described, the Sum of Three Shillings and Four pence :

Drawback.

And that upon the Exportation from *Ireland* to *Great Britain* of any Tobacco or Snuff, the Growth, Produce or Manufacture of *Ireland*, there shall be allowed and given a Drawback equal in Amount to the Countervailing Duty hereby granted on Tobacco and Snuff, the Growth, Produce or Manufacture of *Great Britain* respectively, and imported from thence into *Ireland*; and such Drawbacks shall be in lieu of all Drawbacks payable by virtue of or under any Act or Acts in force in *Ireland* immediately before the passing of this Act in respect of such Tobacco or Snuff exported from *Ireland* to *Great Britain*.

Drawback  
allowed.

III. And be it further enacted, That in lieu and instead of all former Drawbacks on Tobacco or Snuff manufactured in *Ireland* and exported to any other Place than *Great Britain*, there shall be allowed upon all Tobacco manufactured in *Ireland*, which shall be so exported, as an increased Drawback or Compensation for the Duty by Law charged and paid on Import of the Leaf Tobacco whereof it hath been manufactured, and for the Excise Duty charged thereon by Law, the Sum of Two Shillings and Three pence for every Pound Weight of such manufactured Tobacco; and which said Drawback or Allowance shall be paid by the Collector of Inland Excise and Taxes of the District from which such Tobacco or Snuff shall be ex-

ported, out of any Money in his Hands, on such Certificate from the Collector, Comptroller or other Chief Officer of the Port from whence the same shall be exported, as is required by an Act made in the Forty seventh Year of His present Majesty's Reign, intituled *An Act to grant to His Majesty until the Fifth Day of July One thousand eight hundred and eight, certain Duties on the Importation, and to allow certain Drawbacks on the Exportation of certain Goods, Wares and Merchandise into and from Ireland, in case of Drawbacks on Exportation of Goods in respect of any internal Duty of Excise paid thereon.* 47 G. 3. Sess. 2. c. 16.

IV. Provided always, and be it enacted, That the Drawbacks or Allowances payable under any Act or Acts in force immediately before the passing of this Act, upon Tobacco and Snuff exported from *Ireland to Great Britain* or elsewhere, shall continue to be paid and allowed on all Tobacco and Snuff so exported, upon which the additional or increased Duty in respect whereof the increased Drawbacks or Allowances are given and allowed by this Act, shall not have been fully paid and satisfied: Provided also, that the increased Drawback and Allowance by this Act made payable, shall not be paid or allowed on any Tobacco or Snuff so exported unless the Persons who shall export such Tobacco or Snuff respectively shall make Oath that the additional or increased Duty on account of which such Drawback shall be required has been fully paid and satisfied, and shall also perform all such Requisites and comply with such Regulations and Restrictions as are or shall be required to be performed and observed by Persons exporting any Article whereon any Drawback or Bounty is payable for obtaining Draw-back.

V. And be it further enacted, That the said additional Excise Duty of Four pence *per* Pound Weight imposed by this Act on unmanufactured Tobacco, shall be payable on all unmanufactured Tobacco which shall have been in the Hands of any Manufacturer or Manufacturers, or other Person or Persons in *Ireland*, at any time on or after the said Seventeenth Day of *May* One thousand eight hundred and thirteen, and before the Expiration of Ten Days after the passing of this Act, and shall be a Charge on such Manufacturer or Manufacturers, or on the Person or Persons taking or having taken such Tobacco out of any of His Majesty's Warehouses, or out of the Custody of any Officer or Officers of the Customs, from the time when such Tobacco or any Part thereof shall have been or shall be so taken out, and the Surveyors, Guagers or other Officers of the Revenue, who shall be thereto duly authorized or required by the Commissioners of Inland Excise and Taxes, shall, within One Calendar Month after the passing of this Act, make Returns or Reports in Writing to the Collectors in their respective Districts, of such additional Duty as shall have then become due and payable by virtue of this Act, and of the Persons chargeable therewith in such District respectively, and such Returns or Reports shall be a Charge on all such Persons, and such Duty shall be paid by such Persons to the Collector of Excise of the District, within Seven Days after any such Return or Report, or in Default thereof all such Tobacco shall be forfeited, and may be seized, and every Manufacturer or Person who shall make Default in the Payment of such Duty, shall, for every such Default, forfeit the Sum of Fifty Pounds, and Double the Amount of Duty with which such Person shall be charged as aforesaid.

Officer to make Returns to Collector of unmanufactured Tobacco in hand.

In what case  
Tobacco not  
charged with  
Duty.

VI. Provided always, and be it enacted, That no unmanufactured Tobacco shall be charged with the said additional Duty of Four pence by this Act imposed, which shall have been actually taken out of the original Package for the Purpose of manufacturing the same, at any time before the said Seventeenth Day of *May* One thousand eight hundred and thirteen, although such Tobacco may not have been fully manufactured on that Day.

Permit Officer  
to grant Certifi-  
cate if required  
of Tobacco re-  
moved to Stock  
of any Manu-  
facturer, &c.

VII. And be it further enacted, That every Excise Permit Officer who at any time on or after the said Seventeenth Day of *May* One thousand eight hundred and thirteen, and before the Expiration of Ten Days after the passing of this Act, shall have granted any Excise Permit or Permits for the Removal of any Tobacco delivered out of any of His Majesty's Warehouses, or out of the Custody of any Officer or Officers of the Customs into the Stock of any Manufacturer or other Person, shall on Demand by any Surveyor or Guager, or other Officer requiring the same, grant a Certificate in Writing under the Hand of such Excise Permit Officer, specifying the Quantity of Tobacco so removed into the Stock of such Manufacturer or other Person, on or after the said Seventeenth Day of *May* One thousand eight hundred and thirteen, and before the Expiration of Ten Days after the passing of this Act, under or by virtue of such Permit or Permits, and such Certificate shall be granted to any such Surveyor, Guager or other Officer requiring the same, by such Excise Permit Officer without any Fee or Reward whatsoever, and such Certificate of such Excise Permit Officer when verified upon Oath before the Commissioners of Inland Excise and Taxes, or before any Person by them authorized for that Purpose, shall be conclusive Evidence against the Manufacturer or other Person into whose Stock such Tobacco shall have been delivered under such Permit, whereby to charge such Manufacturer or Person with the additional Duty of Four pence *per* Pound on such unmanufactured Tobacco granted by this Act.

Duties and  
Drawbacks, how  
levied and paid.

VIII. And be it further enacted, That the several Duties and Drawbacks by this Act granted, allowed and made payable, and all Penalties and Forfeitures under this Act, shall be raised, levied, collected, paid, sued for, recovered and applied in such manner, and under such Powers and Authorities, and by such ways and methods, and according to such Rules and Directions, and under such Penalties and Forfeitures, as are appointed, directed and expressed for the raising, collecting, paying, levying, allowing and managing any Duties and Drawbacks, or for the recovering of any Penalties or Forfeitures, in and by an Act made in *Ireland* in the Fourteenth and Fifteenth Years of His late Majesty King *Charles* the Second, intituled *An Act for settling the Excise or new Impost upon His Majesty, his Heirs and Successors, according to the Book of Rates therein inserted*, or in and by an Act made in the Forty sixth Year of His present Majesty's Reign, intituled *An Act to provide for the better Execution of the several Acts relating to the Revenues, Matters and Things under the Management of the Commissioners of Inland Excise and Taxes in Ireland*, or in and by any other Act or Acts in force in *Ireland*, relating to the Revenue of Customs and Excise, or either of them, as fully and effectually to all Intents and Purposes as if the same were herein expressed and enacted, with the like remedy of Appeal to and for the Party or Parties aggrieved, as in and by the said recited Act of the Fourteenth

14 & 15 Car. 2.  
(1.) Sess. 4. c. 8.

46 G. 3. c. 106.  
&c.

Appeal

Fourteenth and Fifteenth Years of His late Majesty King *Charles* the Second, or any other Act or Acts as aforesaid is provided; and that all and every Act and Acts in force in *Ireland*, relating to the Duties of Excise on Tobacco, and all Powers, Rules and Regulations, Penalties, Clauses, Matters and Things therein contained, shall extend and be construed to extend, to the raising, levying and collecting the new and additional Duties by this Act granted on Tobacco, as fully and effectually, to all Intents and Purposes, as if the same were repeated and re-enacted in this Act.

[*Duties and Drawbacks paid in British Currency, c. 73. post.*]

C A P. LVIII.

An Act to repeal certain Rates and Duties upon Letters and Packets sent by the Post from or to *Dublin*, to or from the several Post Towns in *Ireland*, and to grant other Rates and Duties in lieu thereof; and to make further Regulations for securing the Duties on Letters and Packets sent by the Post in *Ireland*. [3d June 1813.]

‘ Most Gracious Sovereign,

‘ **W**HEREAS it is expedient to alter the Rates and Duties now in force on the Postage and Conveyance of Letters and Packets sent by the Post, so far as relates to the Rates from *Dublin* to the several Post Towns in *Ireland*, and from the several Post Towns in *Ireland* to *Dublin*; and to grant other Rates and Duties in lieu thereof:’ 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 Expiration of Ten Days after the passing of this Act, all and singular the Rates and Duties now in force upon or for the Portage, Postage and Conveyance of Letters and Packets by the Post from *Dublin* to the several Post Towns in *Ireland*, and from the several Post Towns in *Ireland* to *Dublin*, shall cease and determine; and that, from and after the Expiration of Ten Days after the passing of this Act, it shall and may be lawful to and for the Postmaster or Postmasters General of *Ireland* for the time being, and his or their Deputy or Deputies, Servants and Agents, to and for the Use of His Majesty, his Heirs and Successors, to demand, have, receive and take for the Portage, Postage and Conveyance of all Letters and Packets which he or they shall convey, carry or send Post from the General Post Office in *Dublin* to the several Post Towns in *Ireland*, or from the several Post Towns in *Ireland* to the General Post Office in *Dublin*, according to the several Rates and Sums of Money *Irish* Currency hereinafter mentioned; that is to say,

For the Port and Conveyance of every Single Letter or Piece of Paper, where the Distance of the Post Town to or from which such Letter or Piece of Paper shall be sent, shall not exceed Ten Miles *Irish* Measure from the Post Office in *Dublin*, the Sum of Two pence:

Where such Distance shall exceed Ten Miles, and shall not exceed Twenty Miles, the Sum of Three pence:

R 4

Where

45 G. 3. c. 28.  
50 G. 3. c. 74.

Rates of Postage now in force to cease, and the following to be taken in lieu thereof.

Rates.

Where such Distance shall exceed Twenty Miles, and shall not exceed Thirty Miles, the Sum of Four pence :

Where such Distance shall exceed Thirty Miles, and shall not exceed Forty Miles, the Sum of Five pence :

Where such Distance shall exceed Forty Miles, and shall not exceed Fifty Miles, the Sum of Six pence :

Where such Distance shall exceed Fifty Miles, and shall not exceed Sixty Miles, the Sum of Seven pence :

Where such Distance shall exceed Sixty Miles, and shall not exceed Eighty Miles, the Sum of Eight pence :

Where such Distance shall exceed Eighty Miles, and shall not exceed One hundred Miles, the Sum of Nine pence :

And where such Distance shall exceed One hundred Miles, the Sum of Ten pence :

And for the Port and Conveyance of every Double Letter, Double the said Sums respectively :

And for every Treble Letter, Treble the said Sums respectively :

And for every Ounce in Weight, and for every Packet not exceeding One Ounce in Weight, Four times the said Sums respectively, and so in Proportion for any greater Weight than One Ounce, reckoning every Quarter of an Ounce equal to a Single Letter.

23 & 24 G. 3.  
(1.) L. 17.

Regulations for preventing Persons not legally authorized from carrying Letters and Packets.

‘ II. And whereas an Act was passed in the Parliament of *Ireland* in the Twenty third and Twenty fourth Years of His present Majesty’s Reign, for establishing a Post Office within *Ireland*, and the Fines, Penalties and Forfeitures therein and thereby inflicted and made recoverable against all Persons whatsoever, or Bodies Politic (other than such Postmaster General as should from time to time be nominated and appointed as in the said Act is mentioned, and his Deputies, Servants or Agents), carrying, conveying or delivering any Letters or Packets by Sea or Land, or on any River or Canal within *Ireland*, are found to be totally inadequate to put a stop to or check the Conveyance of Letters and Packets by Persons not duly or legally authorized thereto, by which the Duties arising from the Portage and Conveyance of Letters and Packets sent by the Post in *Ireland* are greatly injured and diminished ;’ Be it therefore enacted, That no Person or Persons whatsoever, or Body Politic or Corporate, in any Part of *Ireland*, other than such Postmaster General as shall from time to time be nominated and appointed as in the said recited Act of the Twenty third and Twenty fourth Years aforesaid is mentioned, and his Deputy or Deputies, Servants or Agents, or other Persons acting under the said recited Act, shall receive, take up, order, dispatch, carry or recarry, convey or deliver, any Letter or Packet (other than as in the said recited Act is excepted), or make any Collection of Letters or Packets, or set up or employ any Foot Post, Horse Post, Stage Coach, Packet Boat or other Carriage, Vessel or Boat, or other Person or Persons, Conveyance or Conveyances whatsoever, for the receiving, taking up, ordering, dispatching, carrying, recarrying or conveying, or delivering, any Letter or Packet, by Sea or by Land, or on any River or Canal, or in any Stage Coach, Diligence or Public Carriage or Conveyance whatsoever, within *Ireland*, whereby or by means whereof any Letter or Letters, or Packet of Letters, shall be collected, received, taken up, ordered, dispatched, conveyed, carried,

carried, recarried or delivered by Sea or Land, or on any River or Canal, or in any Stage Coach, Diligence or Public Carriage within *Ireland* (other than as before excepted), on Pain of forfeiting the Sum of Ten Pounds for every Offence against the Tenor of this present Act, on being thereof convicted by the Oath of One credible Witness before any Justice of the Peace, which Oath any Justice is hereby empowered to administer, and also the Sum of One hundred Pounds for every Week that any Offender against this Act shall receive, take up, order, dispatch, convey, carry, recarry or deliver, or be in the Habit of receiving, taking up, ordering, dispatching, conveying, carrying, recarrying or delivering any Letter or Letters, or Packet of Letters, by Sea or Land, or on any River or Canal, or in any Stage Coach, Diligence or Public Carriage and Conveyance whatsoever within *Ireland* (other than as before excepted); or shall set up, continue or employ any Foot Post, Horse Post, Stage Coach, Diligence or other Public Coach or Conveyance, Driver or Packet Boat, or other Vessel or Boat, or any Person or Persons, Conveyance or Conveyances whatsoever, for the receiving, taking up, ordering, dispatching, conveying, carrying, recarrying or delivering, of any Letter or Packet of Letters, by Sea or by Land, or by any Stage Coach, Diligence or Public Carriage or Conveyance, or on any River or Canal within *Ireland* as aforesaid; and that it shall and may be lawful to and for such Postmaster General of *Ireland*, as shall from time to time be nominated as aforesaid, and his Deputy or Deputies, Servants or Agents acting under his Authority, at all times between Sun-rise and Sun-set, to enter all Houses, Buildings, Carriages, Boats Vessels and Conveyances whatsoever, and to search for all such Letters and Packets as upon Information given on Oath before a Magistrate, he or they may have reason to suspect shall be illegally carried, conveyed or contained therein; and that if any Person or Persons driving any such Carriages and Conveyances, or navigating such Vessels or Boats, or the Proprietors thereof respectively, or the Owners or Inhabitants of any such Houses or Buildings, shall neglect or refuse to admit such Postmaster General, his Deputies, Servants or Agents, every such Person so neglecting or refusing as aforesaid, on being thereof convicted by the Oath of One credible Witness, before any Justice of the Peace, which Oath any Justice is hereby empowered to administer, shall forfeit the Sum of Ten Pounds, One Moiety of each and every of which Penalties shall be paid to the Informer, and the other Moiety shall be paid and payable to the said Postmaster General or his Deputy or Treasurer, in Trust for His Majesty, his Heirs and Successors; and if the said Fines respectively shall not be forthwith paid on Conviction, it shall and may be lawful for such Justice to commit such Offender to the House of Correction, there to remain and be confined to hard Labour for any time not exceeding Twenty one Days, nor less than Fourteen Days, unless such Penalty or Forfeiture shall be sooner paid.

Penalty.

Penalty.

Imprisonment.

III. And be it further enacted, That the said Rates and Duties hereby granted shall be paid and payable in *Iris* Currency, and shall be raised, levied, collected, managed, recovered and applied under such and the like Powers and Authorities, Rules, Regulations and Restrictions, Penalties and Forfeitures, and subject to the like Provisions, Exemptions and Exceptions and Privileges, as are mentioned, expressed and contained in an Act made in the Forty third Year of

Rates how levied.

43 G. 3. c. 28.  
the

50 G. 3. c. 74.

the Reign of His present Majesty, intituled *An Act for granting to His Majesty certain Rates and Duties upon Letters and Packets sent by the Post within Ireland*; and also in an Act made in the Fiftieth Year of the Reign of His present Majesty, intituled *An Act to grant to His Majesty certain additional Duties upon Letters and Packets sent by the Post within Ireland*, or in any other Act or Acts in force in Ireland relating to the Rates and Duties on Letters and Packets sent by the Post within Ireland; and that all and every the Clauses, Matters and Things in the said recited Acts of the Forty third and Fiftieth Years aforesaid, mentioned, expressed and contained, or in any other Act or Acts in force in Ireland relating to the Rates and Duties of Postage, shall be applied and extended, and shall be construed to apply and extend to this present Act, save only so far as respects the Amount of Duties under the said Acts, or any of them, and save and except so far as the said Acts, or any of them, are altered or repealed by this Act.

Act altered, &amp;c.

IV. And be it further enacted, That this Act may be altered, amended or repealed by any Act to be made in this present Session of Parliament.

## C A P. LIX.

An Act to grant to His Majesty certain Duties and Taxes in Ireland, in respect of Carriages, Horses, Male Servants and Windows, in lieu of former Duties and Taxes in respect of the like Articles. [3d June 1813.]

‘ Most Gracious Sovereign,

‘ **W**E, Your Majesty’s most dutiful and loyal Subjects, the Commons of Great Britain and Ireland in Parliament assembled, towards raising the necessary Supplies, have freely and voluntarily resolved to give and grant unto Your Majesty the Duties and Taxes hereinafter 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 January One thousand eight hundred and fourteen, there shall be raised, levied, collected and paid unto His Majesty, his Heirs and Successors, upon and in respect of the several Carriages, Horses, Male Servants and Windows, mentioned, specified and expressed in the Schedule to this Act annexed, the several Sums of Money, Rates, Duties and Taxes as they are respectively described and set forth in the said Schedule, and the said Schedule and all the Exceptions, Exemptions and Regulations therein specified and contained, shall be deemed and taken to be Part of this Act, to all Intents and Purposes whatever; and the said Duties and Taxes shall be in lieu and instead and in full Satisfaction of all Duties and Taxes granted upon or in respect of the like Articles and Things in and by an Act made in the Forty eighth Year of His present Majesty’s Reign, intituled *An Act to grant to His Majesty certain Duties and Taxes in Ireland, in respect of Carriages, Dogs, Fire Hearths, Horses, Male Servants and Windows, in lieu of former Duties and Taxes in respect of the like Articles*, or by any other Act or Acts in force in Ireland at the time of the passing of this Act, except

After Jan. 5, 1814, Duties on Carriages, &c. specified in Schedule, paid in lieu of former Duties.

48 G. 3. c. 42.



except only such Duties as have been or shall or may be granted or imposed for certain local Purposes in *Ireland*, by any Act or Acts of Parliament, and which Duties are or may be appropriated to such local Purposes by the Acts by which the said Duties are or shall be granted or imposed respectively, or by any other Act or Acts.

II. And be it further enacted, That all Duties and Taxes upon Carriages, Horses, Male Servants and Windows, under and by virtue of the said recited Act of the Forty eighth Year, or any Schedule thereto annexed, shall, from and after the Fifth Day of *January* One thousand eight hundred and fourteen, cease and determine; any thing in the said recited Act to the contrary notwithstanding; except the Duties under the said Act, and the Schedule thereto annexed, to be paid by Coachmakers or Makers of Carriages chargeable with Duty, made, built or constructed by such Coachmaker or Maker of Carriages for Sale, or on Carriages sold by any Person in *Ireland*, by Auction or on Commission, which Duties shall continue payable, and shall be paid by such Coachmakers and Persons selling such Carriages, for and in respect of any Carriages chargeable with Duty under this Act; and also except the Duty on Race Horses, which shall continue to be payable under the said recited Act, and the Schedule thereto annexed; and also except the Duties in respect of Clerks, Book-keepers, Office Keepers and Shopmen, which shall continue to be payable under the said recited Act and the Schedule thereto annexed; and also except so far as relates to any Duties or Arrears of Duties on Carriages, Horses, Male Servants and Windows, incurred or to be incurred before the said Fifth Day of *January* One thousand eight hundred and fourteen, and any Fines and Penalties relating thereto respectively.

III. And be it further enacted, That all the Rates, Duties and Taxes by this Act and the Schedule hereunto annexed, granted and made payable, shall be paid and payable, and received and receivable, according to the Amount thereof in *British* Currency; and that all and every the said Rates, Duties and Taxes granted by this Act, the necessary Charges of raising and accounting for the same being deducted, shall be carried to and made Part of the Consolidated Fund of *Ireland*; and that the Sum of Six pence in the Pound, and all other Fees which shall or may be payable to the Lord High Treasurer or Commissioners for executing the Office of Lord High Treasurer of *Ireland*, Clerk of the Pells, or any other Officer of the Treasury of *Ireland*, upon issuing or Payment of any Sum or Sums of Money out of the Consolidated Fund of *Ireland*, shall be carried to the said Consolidated Fund, in Aid and Addition to the Duties hereby granted, and shall be accounted for accordingly.

IV. And be it further enacted, That the several Rates, Duties and Taxes by this Act, and the Schedule hereunto annexed, granted and made payable, shall be under the Management of the Commissioners of Inland Excise and Taxes in *Ireland*, and shall be raised, levied, collected, paid and sued for and recovered in the same manner, and under such Powers and Authorities, and by such ways and methods, and according to such Rules and Directions, and under such Penalties and Forfeitures as are appointed, directed and expressed for the raising, collecting, levying, paying and managing of the like Rates, Duties and Taxes, in and by Two several Acts made in the Forty seventh Year of His present Majesty's Reign, and

Duties on Carriages, &c. under 48 G. 3. c. 42. to cease after Jan. 5, 1814.

Exception. Coachmakers, &c.

Race Horses,

Clerks, &c.

Duties paid in British Currency, carried to Consolidated Fund.

Application of certain Fees.

Duties how levied.

47 G. 3. c. 1. cc. 18. 21.

14 & 15 Car. 2.  
(L) Sess. 4. c. 8.

46 G. 3. c. 106.  
&c.

Appeal.

Carriages,  
Horses and  
Male Servants,  
additional Duty  
of 2s. for every  
100l. of Amount  
of Duty under  
48 G. 3. c. 42.

Houses in re-  
spect of Win-  
dows additional  
Duty of 2s. for  
every 100l. of  
Amount of Duty  
under 48 G. 3.  
c. 42. and  
50 G. 3. c. 75.

with the like Powers and Authorities as are given in and by an Act made in *Ireland*, in the Fourteenth and Fifteenth Years of the Reign of His late Majesty King *Charles* the Second, intituled *An Act for the settling the Excise or new Impeft upon His Majesty, his Heirs and Successors, according to the Book of Rates therein inserted*; or in and by an Act made in the Forty sixth Year of His present Majesty's Reign, intituled *An Act to provide for the better Execution of the several Acts relating to the Revenues, Matters and Things under the Management of the Commissioners of Customs and Port Duties, and of the Commissioners of Inland Excise and Taxes in Ireland*, or in or by any other Act or Acts in force in *Ireland* relating to the Revenues under the Management of the Commissioners of Inland Excise and Taxes in *Ireland*, as fully and effectually to all Intents and Purposes as if the same Rules and Directions, Penalties and Forfeitures were herein expressed and enacted, except only so far as the same are altered or repealed by this present Act, with the like remedy of Appeal to and for the Party or Parties aggrieved, as in and by the said Acts or any of them is or may be provided.

V. And be it further enacted, That for the Year beginning on the Sixth Day of *January* One thousand eight hundred and thirteen, and ending on the Fifth Day of *January* One thousand eight hundred and fourteen, there shall be charged, raised, levied, collected and paid unto His Majesty, his Heirs and Successors, over and above all Rates, Duties and Taxes charged or chargeable or paid or payable upon and in respect of the several Carriages, Horses and Male Servants respectively described and set forth in an Act made in the Forty eighth Year of His present Majesty's Reign, intituled *An Act to grant to His Majesty certain Duties and Taxes in Ireland, in respect of Carriages, Dogs, Fire Hearths, Horses, Male Servants and Windows, in lieu of former Duties and Taxes in respect of the like Articles*, and in the Schedule to the said Act annexed, under and by virtue of the said Act, and the Schedule thereto annexed, an additional Rate, Tax or Duty of One fourth Part, being after the Rate of Twenty five Pounds for every One hundred Pounds of the Amount of the Rates, Taxes or Duties payable upon or in respect of such Carriages, Horses and Male Servants respectively, under or by virtue of the said recited Act, or the Schedule thereto annexed, or by any other Act or Acts in force in *Ireland* at the time of the passing of this Act; and that for the said Year beginning the said Sixth Day of *January* One thousand eight hundred and thirteen, and ending the said Fifth Day of *January* One thousand eight hundred and fourteen, there shall also be charged, raised, levied, collected and paid unto His Majesty, his Heirs and Successors, over and above all Rates, Taxes and Duties charged or chargeable or paid or payable on Houses in *Ireland*, in respect of the Windows or Lights therein, under and by virtue of the said recited Act of the Forty eighth Year aforesaid, or of any Schedule annexed to the said Act, or under or by virtue of an Act made in the Fiftieth Year of His present Majesty's Reign, intituled *An Act to grant to His Majesty an additional Duty on Dwelling Houses in Ireland, in respect of the Windows or Lights therein*, the Rates and Duties hereinafter described and set forth; that is to say,

For and out of every Tenement or Dwelling House in *Ireland*, having more than Six Windows or Lights therein, an additional Rate, Tax or Duty of One fourth Part, being after the Rate of Twenty

Twenty five Pounds for every One hundred Pounds of the Amount of the Rates, Taxes or Duties payable on such Houses, in respect of the Windows or Lights therein, under the said recited Act of the Forty eighth Year aforesaid, or any Schedule thereto annexed; and also a like additional Rate, Tax or Duty of One fourth Part, being after the Rate of Twenty five Pounds for every One hundred Pounds of the Amount of the Duties payable on such Houses in respect of the Windows or Lights therein, under or by virtue of the said recited Act of the Fiftieth Year aforesaid, or under or by virtue of any other Act or Acts in force in *Ireland* immediately before the passing of this Act.

VI. And be it further enacted, That any Officer or Officers appointed by or acting under the Orders and Directions of the Commissioners of Inland Excise and Taxes in *Ireland* to collect or superintend the Collection of the said Rates and Taxes, or any of them, shall charge every Person in *Ireland*, who hath been or is or shall be charged or chargeable with, or who hath paid or shall pay any Rates and Duties on Carriages, Dogs, Horses or Male Servants, or on Houses having more than Six Windows or Lights therein, in respect of the Windows or Lights therein, for the Year beginning on the Sixth Day of *January* One thousand eight hundred and thirteen, and ending the Fifth Day of *January* One thousand eight hundred and fourteen, under or by virtue of the said recited Acts of the Forty eighth and Fiftieth Years aforesaid, with a further and additional Rate, Tax and Duty of One fourth Part, being after the Rate of Twenty five Pounds for every One hundred Pounds of the Amount of all such Rates, Taxes and Duties, as shall have been or shall be charged or chargeable on, and as shall have been or shall be paid by any such Person or Persons respectively in or for the said Year, under any Act or Acts in force immediately before the passing of this Act; and such further or additional Charge shall be made by the said Officers at the time when the Charge of the new Rates, Duties and Taxes on Carriages, Dogs, Horses or Male Servants, or in respect to such Houses as aforesaid granted by this Act shall be made on such Persons by such Officers for the Year beginning on the Fifth Day of *January* One thousand eight hundred and fourteen, and ending on the Fifth Day of *January* One thousand eight hundred and fifteen; and the said further and additional Rates, Taxes and Duties for the said Year ending on the Fifth Day of *January* One thousand eight hundred and fourteen, shall be paid by the Parties charged therewith, at the same time and in such manner as the Rates, Taxes and Duties chargeable and payable for the Year ending the Fifth Day of *January* One thousand eight hundred and fifteen, shall be payable; and with all such and the like Powers and Remedies for recovering and levying the same, as are given for the recovering and levying any such Rates, Taxes or Duties under or by virtue of an Act made in the Forty seventh Year of His present Majesty's Reign, intituled *An Act to provide for regulating and securing the Collection of certain Rates and Taxes in Ireland, in respect of Dwelling Houses, Fire Hearths, Windows, Male Servants, Horses, Dogs and Carriages*, or under or by virtue of any other Act or Acts in force in *Ireland*, relating to the said Rates, Taxes and Duties, or any of them.

How Duties charged and levied.

47 G. 3. Sess. 1. c. 21.

## SCHEDULE

**SCHEDULE to which this Act refers.**

**SCHEDULE of Duties payable in Ireland on the several Articles, Matters and Things therein mentioned.**

<b>COACHES and CARRIAGES.</b>	<b>Rate for each Carriage.</b>
	<b>£. s. d.</b>
<b>CARRIAGES with Four Wheels; videlicet,</b>	
For and upon every Coach, Chariot, Berlin, Calash or Chaife with Four Wheels, not exempt by Law, which any Person shall keep or have in his or her Possession at any time between the Fifth Day of January in any Year, and the Fifth Day of January following, the yearly Sum of - - -	10 10 0
And in all cases for every additional Body successively used on the same Carriage or Number of Wheels, the further yearly Sum of - - -	4 4 0
<b>CARRIAGES with less than Four Wheels; videlicet,</b>	
For and upon every Curricule or other Carriage, drawn by Two Horses abreast, the yearly Sum of - - -	9 0 0
And for every additional Body successively used on the same Carriage or Number of Wheels, the further yearly Sum of - - -	3 0 0
For and upon every Chaife not otherwise charged, nor exempt by Law, the yearly Sum of - - -	5 5 0
For and upon every Car made use of, and fitted up for carrying Persons commonly known by the Name of a Jaunting Car or Pleasure Car, and for and upon every Carriage or Vehicle made use of as a Jaunting Car or Pleasure Car, by whatever Name such Carriage or Vehicle may be called, the yearly Sum of - - -	2 2 0
For and upon every Chaife, Jaunting Car or Pleasure Car, drawn by Two or more Horses not being abreast, the yearly Sum of - - -	6 6 0

**EXEMPTIONS.**

Stage Coaches, Hackney Coaches, Hackney Chaises and Coaches, and Chaises and other Carriages kept for Hire, except such as shall be kept for Hire by any Person letting out Horses to travel Post, or by the Mile, who shall charge, demand or receive a higher Rate of Payment for drawing any Carriage subject to Duty by this Act, travelling Post by the Mile, or from Stage to Stage, than such Person charges for his or her own Carriage of the same Denomination travelling Post in like manner.

Carriages kept for Sale, for which a Duty of One Pound or Ten Shillings shall have been paid by the Maker thereof.

**HORSES.**

## HORSES.

For all Horses, Mares, Geldings or Mules, which any Person or Persons shall have or keep at any time between the Fifth Day of *January* in any Year, and the Fifth Day of *January* in the Year following, for the Purpose of Riding, or for the Purpose of Drawing any Carriage whatever chargeable with Duty (except Carriages kept for Hire, in cases where such Carriages shall be so chargeable), the several yearly Sums following; that is to say,

	£	s.	d.
For One such Horse, Mare, Gelding or Mule	1	10	0
Two, each	2	0	0
Three, each	2	10	0
Four, each	3	0	0
Five, each	3	5	0
Six, each	3	10	0
Seven, each	3	15	0
Eight, each	4	0	0
Nine, each	4	5	0
Ten, each	4	10	0
Eleven, each	4	15	0
Twelve, or more, each	5	0	0

## EXEMPTIONS.

Any Horse, Mare, Gelding or Mule under Three Years old.

Any Horse, Mare, Gelding or Mule which shall be used truly and without Fraud, for the Purpose of Husbandry only on Land occupied by the Owner of such Horse or other Beast, or for the Purpose of drawing any Waggon, Cart or Carriage (except such Carriages as are liable to Duty), or carrying Burthens in the Course of the Trade or Occupation of the Person or Persons to whom such Horse, Mare, Gelding or Mule shall belong, although such Horse, Mare, Gelding or Mule shall be used for Riding on the Occasions and in the manner hereinafter mentioned; that is to say, when returning from any Place to which any Load or Burthen shall have by such Horse, Mare, Gelding or Mule been drawn or carried, or in going to any Place from whence any Load or Burthen shall be to be brought back by any such Horse, Mare, Gelding or Mule, or for the Purpose of procuring Medical Assistance, or for the Purpose of going to or from Market, or to or from any Place of Public Worship, or to or from any Election of Members to serve in Parliament, or to or from any Court of Justice, provided such Horse, Mare, Gelding or Mule shall not on any Occasion be used for any other Purpose, save as aforesaid.

One Horse, Mare, Gelding or Mule, used only for the Purpose of drawing any Carriage with less than Four Wheels, not chargeable with any Duty under this Act, by any Person occupying a Farm, and making a Livelihood solely thereby, or by any Person carrying on a Trade, and making a Livelihood solely thereby, or making a Livelihood by such Occupation and Trade jointly, or by an Ecclesiastical Person not possessed of an annual Income of One hundred Pounds or upwards, whether arising from any Ecclesiastical Preferment or otherwise.

One

One Horse, Mare, or Gelding, used by any Non Commissioned Officer or Private, in any of the Regiments of Cavalry or in the Artillery.

One Horse, Mare or Gelding used by any Person enrolled or to be enrolled, and serving in any Troop of Yeoman Cavalry in *Ireland*, who shall have attended on Horseback One Half at the least of the Number of Days appointed for him to exercise, or be on Duty in the Year; and who shall produce a Certificate from the Commanding Officer or permanent Serjeant of his having done so, and of Pay having been drawn for him for the said Number of Days,

### MALE SERVANTS.

For every Male Servant who shall be retained or employed by any Person in *Ireland*, at any time between the Fifth Day of *January* in any Year, and the Fifth Day of *January* in the Year following, there shall be paid the yearly Sums, Duties and Taxes following; that is to say,

	£.	s.	d.
For 1 Male Servant	1	10	0
2 Male Servants, each	2	0	0
3 Male Servants, each	2	10	0
4 Male Servants, each	3	0	0
5 Male Servants, each	3	7	6
6 Male Servants, each	3	15	0
7 Male Servants, each	4	2	6
8 Male Servants, each	4	10	0
9 Male Servants, each	4	17	6
10 Male Servants, each	5	5	0
11 Male Servants, and upwards, each	5	12	6
For every such Servant retained or employed by any Male Person never having been married, where the Duty on such Servant according to the above Rate shall not exceed the Sum of Four Pounds, an additional Duty equal to One Half of the Amount of the above Duties respectively; and where such Duty shall exceed the Sum of Four Pounds, then an additional Duty of	2	0	0

### EXEMPTIONS.

Any Servant (other than such as are herein specified, and in respect of whom the Master is subject to Duty) who shall be really retained or employed for the Purpose of Husbandry or Manufacture, or of any Trade or Calling by which the Master or Mistress of such Servant shall earn a Livelihood or Profit, and who shall not at any time be employed in any Capacity in respect of which a Tax is payable for any Servant.

Any Servant of the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the time being, or any Butler, Cook, Gardener or Porter of the College of the Holy and Undivided Trinity of Queen *Elizabeth* near *Dublin*, or any Servant of the Royal Hospital near *Kilmainham*, or of the Blue Coat Hospital or Lying-in Hospital in *Dublin*, or of any Hospital or Charitable Institution,

One

One Servant of any Officer serving in any Regiment of Horse or Dragoons under the Rank or not receiving the Pay of a Field Officer, provided such Officer retains no more than one Servant, and any Servant of any Officer serving in any Regiment of Artillery, Infantry or Marines, or Corps of Engineers, such Servant being actually a Soldier in the Regiment or Company to which such Officer shall belong, and any Servant of any Officer in His Majesty's Navy under the Rank of a Master and Commander in actual Employment, such Servant being borne upon the Books of the Ship to which such Officer shall belong.

One Servant of any Officer on Half Pay from His Majesty's Navy, Army or Marines, provided such Officer shall retain no more than one such Servant only.

Any Boy apprenticed to serve for any Term not exceeding Seven Years by the Foundling Hospital, the Incorporated Society, the Hibernian School for Soldiers' Children, the Hibernian Marine Society, or any Society or Charitable Institution in *Ireland* for the Care and Education of Children supported in the Whole or in Part by Public Money or Assessment.

WINDOWS.

For and out of every Tenement or Dwelling House having more than Six Windows or Lights, there shall be paid the several and respective yearly Rates following; that is to say,

	£	s.	d.
In respect of 7 Windows or Lights	0	17	6
8	1	4	0
9	1	11	6
10	2	0	0
11	2	9	6
12	3	0	0
13	3	11	6
14	4	4	0
15	4	17	6
16	5	12	0
17	6	7	6
18	7	13	0
19	8	15	9
20	10	0	0
And in respect of every Window or Light more than Twenty in Number, there shall be paid for each such Window or Light the further yearly Rate or Sum of	0	10	0

EXEMPTIONS and ABATEMENTS.

His Majesty's Castle of *Dublin* and any House within the Circuit thereof, and any House or Tenement for the Residence of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, or of the Chief Secretary to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or of the Under Secretaries in his Office, and the College of the Holy and Undivided Trinity of

Queen *Elizabeth* near *Dublin*, shall be wholly exempt from the said Duties.

Any Warehouse or Workhouse, being a distinct and separate Building, and not a Part or Parcel of the Dwelling House, nor Shop, nor occupied in Part nor in the Whole as a Dwelling House, but employed solely for the Purpose of lodging Goods, Wares or Merchandize, or for carrying on some Manufacture or Trade, although the same may adjoin to or have internal Communication with the Dwelling House, shall be wholly exempted from the said Duties.

If in any House, containing Eight Windows or more, any Room or Rooms shall be occupied by any Lodger or Lodgers not paying respectively a Rent exceeding Five Pounds yearly for such Lodging, so much of the Tax on such House in respect of all the Windows or Lights therein as shall in respect of the Windows or Lights in the Part of such House so occupied exceed One Shilling for each Window or Light, shall be deducted from the whole Charge of such House.

Any Hospital, Charity School or House provided for the Reception and Relief of poor Persons, or any Gaol, Prison or Sessions House, or any Hall, Office or public Building whatsoever in *Ireland* shall not be charged in respect of Windows therein, otherwise than in manner hereinafter mentioned; that is to say, all the Dwelling Rooms or Apartments in any such public Building being occupied by any Officer of or belonging to or employed in the same, or by any Servant of such Officer, and all such Rooms or Apartments not containing more than Six Windows or Lights shall be charged with the Tax in respect of Windows at the Rate of One Shilling for each Window or Light therein; and if such Rooms or Apartments shall contain more than Six Windows or Lights, then they shall be charged with the said Tax as if they were an entire House; and the Persons respectively by whom or by whose Servant such Rooms or Apartments are or shall be inhabited, shall be chargeable with or liable to pay the said Taxes as Occupiers of inhabited Houses are by Law chargeable with and liable to pay the same.

Any Dwelling House or other Building in respect of any Window which shall be occupied with or used for a Loom, which shall be standing at such Window and really used in Weaving.

Any Dwelling House wholly occupied as a Boarding School for the Education of Children, and kept by a Person licensed to keep a School by the Ordinary of the Diocese, or the Justices at Sessions, shall not be charged with any higher Rate of Tax than One Shilling for each Window or Light therein.

#### C A P. LX.

An Act for the better Collection of the Duties on Hides and Skins tanned or dressed in Oil, and on Vellum and Parchment made in *Ireland*; and for preventing Frauds on His Majesty's Revenue therein.  
[3d June 1813.]

‘ WHEREAS it is expedient to repeal the several Acts in force  
‘ for securing, collecting and levying the Duties payable in  
‘ *Ireland* upon Hides and Skins tanned, and upon Hides and Skins  
‘ dressed in Oil, and on Vellum and Parchment made in *Ireland*;  
‘ and to make further Regulations for that Purpose;’ Be it therefore enacted by the King's Most Excellent Majesty, by and with  
the



the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the Twenty ninth Day of *September* One thousand eight hundred and thirteen, an Act made in *Ireland* in the Fortieth Year of His present Majesty's Reign, intituled *An Act for the better Collection of all Duties on Hides and Skins tanned and dressed in Oil, and on Vellum and Parchment made in Ireland, and for preventing Frauds on His Majesty's Revenue therein*; and also so much and such Part of any Act or Acts as have been made in the Parliament of the United Kingdom, for continuing or amending the said recited Act of the Fortieth Year aforesaid, shall be and the same are hereby repealed; and that all Licences which shall have been granted since the Twenty fifth Day of *March* One thousand eight hundred and thirteen, to any Person or Persons in *Ireland* to keep a Tan Yard or Tan Pit, or to tan Leather, or to dress Hides and Skins in Oil, or to make Vellum or Parchment, shall cease and determine and become utterly void on the said Twenty ninth Day of *September* One thousand eight hundred and thirteen; any thing in any Act or Acts to the contrary thereof in any wise notwithstanding: Provided always, that nothing herein contained shall extend or be construed to extend to repeal, alter or affect the Collection of any Duty or of any Penalties or Forfeitures which may have been or may be due or chargeable, or which have been or shall be incurred at any time previous to the said Twenty ninth Day of *September* One thousand eight hundred and thirteen: Provided also, that it shall and may be lawful for the Commissioners of Inland Excise and Taxes in *Ireland*, to repay or allow to any Person or Persons to whom any such Licence shall have been granted as aforesaid, between the Twenty fifth Day of *March* and the Twenty ninth Day of *September* One thousand eight hundred and thirteen, One Half Part of the Stamp Duty paid by such Person or Persons for such Licences, either on their taking out a new Licence under this Act, or at such time and in such manner as the said Commissioners shall think proper to order and direct.

II. And be it further enacted, That all Licences to be granted at any time after the passing of this Act, to any Person or Persons in *Ireland*, to keep a Tan Yard or Tan Pit, or to tan Leather, or to dress Hides or Skins in Oil, or to make Vellum or Parchment, shall continue in force until the Twenty ninth Day of *September* next after the Date thereof, and no longer.

III. And, for the better securing, collecting and levying all Duties payable in *Ireland* upon Hides and Skins tanned, and upon Skins dressed in Oil, and on Vellum and Parchment made in *Ireland*, and for avoiding all Doubts and Controversies concerning the several Kinds of Hides and Skins and Pieces of Hides and Skins to be charged with Duty, be it enacted, That by tanned Hides and Skins and tanned Pieces of Hides and Skins, are meant such as are tanned in Ooze made of the Bark of Trees, or Sumack, or any other Material, whereof the principal Ingredient shall be such Bark or Sumack; and that by Hides and Skins dressed in Oil, or Pieces of Hides and Skins dressed in Oil, are meant such as not having been tanned with Bark or Sumack are dressed in Oil, or such as are made into Leather in Oil, or with any Liquor or Material whereof the chiefest Ingredient shall be Oil.

40 G. 3. (1.) c. 9.  
41 G. 3. (U.K.)  
c. 45. § 6.  
42 G. 3. c. 36.  
43 G. 3. c. 45 § 1.  
43 G. 3. c. 97.  
§ 24.  
44 G. 3. c. 105.  
45 G. 3. c. 108. § 1.  
46 G. 3. c. 120. § 1.  
47 G. 3. Sess. 2.  
c. 48. § 1.  
48 G. 3. c. 62. § 1.  
repealed.

When Licences shall expire.

Exceptions as to Duties and Penalties.

Repayment of Licence Duty.

Licences to continue in force.

Definition of tanned Leather and Leather dressed in Oil.

Before Licences granted, Tanners shall deliver a particular Account of Yards, Pits, &c. to be entered at Excise Office of District.

IV. And be it further enacted, That before any Licence shall be granted to any Person or Persons in *Ireland*, to keep a Tan Yard or Tan Pit, or to tan Leather or to dress Hides or Skins in Oil, or to make Vellum or Parchment, the Person or Persons requiring such Licence shall, before any such Licence shall be granted, make out, sign and deliver to the Collector of the District an Account in Writing, to be entered and registered in the Office of Excise in the District in which the Tan Yard, Tan Pit or Manufactory of such Person shall be situate, containing his or her Name, and Place or Places of Abode, and the Place where such Tan Yard, Tan Pit or Manufactory is situate, and specifying every Tan Yard, Tan House or other Yard and Workhouse, Mill, Store and other Place by him or her to be used for the tanning, dressing, and drying or keeping of any Hides or Skins, or for making any Vellum or Parchment; and also specifying the Number or Situation of all the Pits and Vats therein respectively, for tanning or dressing of such Hides or Skins, or Pieces thereof, or for making Vellum or Parchment, distinguishing the Number of Pits called Lime Pits, and the Number of Pits called Makers, and the Number of Pits called Vats, Handlers or Latches respectively, and the Number of Cubic Feet in each and every such Pit called Vats, Handlers and Latches, respectively, and in each and every other Pit in every Tan Yard kept by such Person, in which Bark is used or intended to be used; and in such written Account the Person making the same shall distinguish every such Pit, and every such Mill, Workhouse, Store or other Place by separate Numbers relating to each, in arithmetical Progression, beginning with Number One, and upon some visible Part of every such Pit, and also upon the Outside of the Door of every such Workhouse, Mill, Store or other Place, the Person requiring such Licence and making out such Account shall paint or cause to be painted with Oil Colour, in black on a white Ground, or in white upon a black Ground, and shall keep thereon so painted in a legible manner, the Number of each such Pit, and of each such Workhouse, Mill, Store or other Place respectively, in Conformity with such Account; and that the Surveyor of Excise within whose Survey such Manufactory shall be situate, shall at the Bottom of every such Account, before the same shall be delivered to or received by the Collector, certify such Account by signing his Name thereto, and thereupon the Collector of Excise of the District shall file or enter and register such Account in the Office of Excise of the District, and shall grant a Certificate of such Account and Registry, by giving a Copy thereof signed by him, to the Party who delivered such Account; and before any such Licence shall be granted at any time after the passing of this Act, such Certificate shall be produced to the Commissioners of Excise, or to the Person empowered by such Commissioners to grant such Licence; and such Account and Registry, and every such Certificate thereof, shall be Evidence on any Question that shall or may arise on any Information, in consequence of or touching any of the Provisions of this Act.

Account, &c.  
Evidence.

Tanning or  
using Yards or  
Pits, without  
Account de-  
livered and  
Licence obtained.

V. And be it further enacted, That if any Person shall tan in Ooze, or dress in Oil, or cause to be tanned or dressed as aforesaid, any Hide or Hides, Skin or Skins, or shall make any Vellum or Parchment, or shall make use of any Tan House, Tan Yard or other Yard, Workhouse, Mill or other Place, or any Pit or Vat, or any  
Store

Store for the tanning or dressing, drying or keeping of Hides or Skins, or for making Vellum or Parchment before such Person shall have made out, signed and delivered such Account as aforesaid, or without being duly licensed according to Law, or shall omit to paint or cause to be painted in manner hereinbefore directed, or to keep painted in a legible manner upon each such Pit, Workhouse, Mill, Store or other Place respectively, the Number thereof respectively, in Conformity with such Account, every such Person shall forfeit Twenty Pounds for every Day such Tan House, Tan Yard, Workhouse, Mill or other Place, or any such Pit or Vat shall be used for any of the respective Purposes aforesaid; and that all Hides and Skins and Pieces of Hides tanned in any manner, or dressed in Oil, or being in the Process of such tanning or dressing, and all Vellum and Parchment, and Skins making into Vellum or Parchment, which shall be found in any Tan Yard, Tan House, Mill, Workhouse or other Yard or Place for which a Licence in force shall not have been duly granted, or of which such Account shall not have been made out, signed and delivered as is by this Act required, shall be forfeited, and may be seized by any Officer of Excise in *Ireland*; and that if any Tanner or Person requiring such Licence as aforesaid, shall omit to make out, sign and deliver such Account as by this Act is required, of the Number of cubic Feet in each and every of the Pits called Vats, Handlers and Latches, and in each and every other Pit respectively in every Tan Yard kept by such Tanner or Person requiring such Licence, in which Bark is intended to be used, or shall make any false Return of Pits or Vats, or of the Cubic Feet in any Pit or Vat whereof a Return of the Number of such Feet is hereby required to be made, or if any Bark shall be found in any Pit or Vat belonging to any Tanner or Person which shall not in such Return be described as a Pit or Vat for using Bark or other Ooze for tanning, every such Tanner or Person for every such Default or Offence shall forfeit the Sum of One hundred Pounds.

Penalty.

Tanning,  
Licence not duly  
granted.

Penalty.

VI. And be it further enacted, That it shall and may be lawful for any Officer of Excise at any time in the Day-time to enter into any Tan Yard, Tan House, Workhouse, Mill or other Yard or Place whatever, used by any Tanner or Currier, or any Dresser of Hides or Skins in Oil, or by any Maker of Vellum or Parchment, or any Place where any such Hides, Skins, Vellum or Parchment shall be, and to search for, view and take an Account of all Pits, Vats and Places therein used for the tanning of Hides and Skins, and of the Dimensions thereof, and to search for, view and take an Account of all Pits, Vats and Places used for dressing of Hides and Skins in Oil, or for making Vellum or Parchment, and the Uses to which such Pits, Vats or other Places are applied; and if any Tanner, Dresser of Leather in Oil, or Maker of Vellum or Parchment, or his or her Servant, shall not on Demand made by any Officer of Excise at the Tan House, Tan Yard or other Place of such Tanner, Dresser or Maker, admit such Officer therein, or shall not permit such Officer to view or take such Account of, or to measure all or any such Pits, Vats and other Places as aforesaid; or if any Tanner shall not on Demand of any Officer of Excise, clear all Hides and Skins out of any Pit or Vat which such Officer may require so to be cleared in order to enable him to measure the same; every such Tanner, Dresser and Maker respectively, shall for every such Neglect or Refusal by

Penalty.

Officers may  
enter and take  
Account.

Penalty.

him or her, or his or her Servant, forfeit the Sum of Twenty Pounds.

Tanners and Sureties to enter into a Bond, before Licence granted.

VII. And be it further enacted, That no Licence shall be granted to keep a Tan Yard or Tan Pit, or to tan Leather with Bark, unless the Person requiring the same shall, with Two sufficient Sureties, have executed a Bond to His Majesty in a penal Sum, after the Rate of Fifty Pounds for every One hundred Cubic Feet of the Pits or Vats in the Tan Yard of such Person chargeable under this Act, conditioned to pay all such Sums of Money as by virtue of this Act or any other Act or Acts in force in *Ireland* such Tanner shall be charged with, and also to pay and satisfy all Penalties to which such Tanner shall be liable under this Act, or any other Act or Acts in force in *Ireland*; and that no Licence shall be granted to any Person or Persons to tan Hides or Skins with Bark, unless the Pit or Pits in the Tan Yard of such Person chargeable under this Act, according to the Number of Cubic Feet therein contained, shall contain Four hundred Cubic feet in the Whole at least; and that any Licence which shall be granted to any Person, the Pit or Pits in whose Tan Yard shall contain less than Four hundred Cubic Feet in the Whole, shall be null and void.

Duty on Tanners with Bark.

VIII. And be it further enacted, That, from and after the Twenty ninth Day of *September* One thousand eight hundred and thirteen, every Tanner of Hides and Skins with Bark shall, from the said Twenty ninth Day of *September* One thousand eight hundred and thirteen, until the Twenty ninth Day of *September* One thousand eight hundred and fourteen, and within every following Year ending on the Twenty ninth Day of *September* be charged with and pay Duty for a Quantity of Tanned Hides and Skins, according to the whole Amount of the Number of Cubic Feet contained in all the Pits (except Lime Pits, Maltersins and Water Pools for simple Water) in his, her or their Tan Yard or Tan Yards, or other Place or Places whatever, called Vats, Handlers and Latches, or other Pits or Vessels used with or containing Bark; that is to say, every such Tanner shall be charged with and pay a Duty at the Rate of Nine pence by the Year, in respect of each and every Cubic Foot contained in all the Pits in his, her or their Tan Yard or Tan Yards or other Places, called Vats, Handlers and Latches, or other Pits or Places in which Bark is used, without making any allowance whatever for the Contents of any Pits called Latches; any Law, Usage or Custom notwithstanding: And the Officers of Excise shall make Monthly Returns to the Collectors of the Districts respectively, in which such Tan Yards shall be situated, of the Duty at the Rate aforesaid; that is to say, such Officers shall Monthly, on every Twenty fifth Day of the Months of *October, November, December, January, February, March, April* and *May*, Twenty fourth Day of *June*, Twenty fifth Day of *July* and *August*, and Twenty ninth Day of *September*, make a Return of One Twelfth Part of the whole Amount of the Sum which such Tanner is by this Act chargeable with in respect of the whole Number of Cubic Feet in his or her aforesaid Pits within the Year, and such Return shall be a Charge on every Tanner against whom the same shall be made and returned, and shall be received as and for the Amount of the Duty payable by Weight and Tale on Hides and Skins tanned with Bark only: And every such Tanner shall pay the Sum so charged and returned within One Calendar

Officers to make Monthly Returns.

Officers' Returns Charges on Tanners.

Calendar Month after each of the said respective Days; and in Default of paying the same, shall forfeit the Sum of Fifty Pounds and double the Amount of the Sum so returned, and shall not after such Default send, deliver or carry out, or suffer to be carried out, any Hides or Skins, or Pieces of Hides or Skins, until such Sum shall have been paid, on Pain of forfeiting the Sum of Fifty Pounds and double the Value of the Hides or Skins delivered or carried out; and no Hides or Skins tanned with Bark only shall be counted, weighed or marked with any Stamp to denote the charging of Duty thereon.

Penalty.

Penalty.

IX. Provided always, and it is hereby declared and enacted, That all Hides and Skins whatever, not having been dressed with Bark or Sumack, which shall be dressed in Oil, shall be charged and chargeable with, and shall pay the several Duties for every Pound Weight Avoidupois thereof, imposed on Hides and Skins and Pieces of Hides and Skins dressed in Oil, under and by virtue of an Act made in the Forty seventh Year of His present Majesty's Reign, intituled *An Act to grant to His Majesty certain Inland Duties of Excise and Taxes in Ireland, and to allow certain Drawbacks in respect thereof in lieu of former Duties of Excise, Taxes and Drawbacks.*

Hides dressed in Oil to pay Duties by former Act.

47 G. 3. Sess. 1. c. 18.

X. Provided also, and be it enacted, That if any Tanner with Bark shall at any time between the Twenty fifth Day of April and the Twenty ninth Day of September in any Year, choose to discontinue the working or using any of the Pits or Vats in his or her Tan Yard, used with Bark (being not more than One Fourth of the whole Number of such Pits or Vats, nor more than the Number of such Pits or Vats as shall contain One Fourth of the Number of Cubical Feet in the whole Number of such Pits or Vats), for the Remainder of such Year ending on the Twenty ninth Day of September then next ensuing, it shall and may be lawful for such Tanner so to do; provided that such Discontinuance shall not take place, except at the End of some Month for which such Tanner is chargeable with Duty as aforesaid; and provided also, that Notice in Writing of the Day when such Tanner shall discontinue the Use of such Pits or Vats, specifying the Number of Pits or Vats and the Cubic Contents thereof, and each and every Pit and Vat respectively, and the Cubic Content of each and every Pit and Vat respectively intended to be discontinued, shall have been given Ten Days before such Day, to the Chief Commissioners of His Majesty's Revenue as also to the Collector of Excise of the Districts, and to the Surveyor and Gauger of the Walk in which such Tan Yard shall be; and in such case, a proportionable Deduction, according to the Number of Cubic Feet in the Pits or Vats so discontinued, for the time such Pits or Vats shall not be employed, shall be made from the future Monthly Charges on such Tanner in respect of such Pits or Vats so discontinued; and every Pit or Vat, the Use of which shall be so discontinued, shall, in the Presence of the Officer in charge of the Tan Yard of such Tanner, be effectually filled up with Stones or other Rubbish; and if any Tanner shall neglect or refuse to fill up such Pit or Vat so discontinued as aforesaid, or shall, after the Time mentioned in any such Notice, work or use any Pit or Vat of the Discontinuance of which Notice shall have been given as aforesaid, or shall work or use any greater Number of Pits or Vats than the Number of the Pits or Vats remaining in the Tan Yard of such Tanner,

Tanner discontinuing Part of Pits.

Notice.

after deducting the Number of Pits or Vats of the Discontinuance of which such Notice shall have been given, every such Tanner shall, for every such Pit or Vat exceeding such Remainder, forfeit the Sum of Fifty Pounds, and shall be chargeable in respect of every such Pit or Vat, and in respect of every Cubic Foot therein, as if no such Notice of Discontinuance had been given or delivered.

Penalty.

Tanners with Sumack, Dressers of Skins in Oil, and Parchment Makers, to give Notice before Hides, &c. taken out to be dried.

XI. And be it further enacted, That every Tanner of Skins with Sumack, or of Skins tanned for Roans, Gloves or Basils, and every Dresser of Hides or Skins in Oil, and every Maker of Vellum and Parchment, shall from time to time, before any Hide or Hides, Skin or Skins, or any Piece or Pieces of any Hide or Hides, Skin or Skins shall be taken out of the Mill, Ooze, Liquor, Oil or other Material, in any Tau House, Tan Yard or other Yard, or in any Vat or Pit used by such Tanner or Dresser for Tanning, steeping or dressing any Hides or Skins, to be dried or otherwise disposed of, give Forty eight Hours' Notice in Writing to the Officer of Excise in charge of the Walk in which such Tan Yard, Tan House or other Place shall be, of the time when any Hide or Hides, Skin or Skins, or any Piece or Pieces of any Hide or Hides or Skin or Skins, or any Vellum or Parchment shall be taken out of the Mill, Ooze, Liquor, Oil or other Materials, in order to be dried or otherwise disposed of; and for every Default of giving such Notice, every such Tanner, Dresser and Maker making such Default, shall forfeit Fifty Pounds.

Penalty.

Officers to take Account of skins dried.

XII. And be it further enacted, That every Tanner of Skins with Sumack, or of Skins tanned for Roans, Gloves or Basils, and every Dresser of any Hides or Skins in Oil, and every Maker of Vellum and Parchment, shall from time to time permit any Officer of Excise, and every such Officer is hereby empowered to take an Account of the Number and Quality of all Hides and Skins, Pieces of Hides or Skins, Vellum and Parchment, which shall be taken out of the Ooze, Mill, Liquor, Oil or other Material, in order to be dried or otherwise disposed of; and every such Tanner, Dresser and Maker, shall within Two Days after such taking out, and before the carrying away of any such Hide or Hides or Skin or Skins, or any Piece or Pieces of any Hide or Hides or Skin or Skins, Vellum or Parchment, from the Tan Yard, Tan House or other Yard or Place belonging to such Tanner, Dresser or Maker, or from the usual Place or Places where such Hides or Skins, or Pieces thereof, or such Vellum or Parchment, are or shall be usually dried, make true Entry with the Collector of the District, or the Surveyor or Gauger in the Walk, of the Number and Quality of every of the Hides and Skins and Pieces of Hides and Skins, and Vellum and Parchment, so taken out of the Ooze, Mill, Liquor, Oil or other Materials, from the Time any Hides or Skins, or Pieces of Hides or Skins comprised in the last preceding Entry, were taken out; such time to be particularly described, and also the Purposes for which they are respectively adapted, and for which they are respectively intended by him or her to be used; and shall verify such Entry by Affidavit upon Oath, which Oath any Collector, Sub Commissioner or Surveyor in His Majesty's Revenue of Excise, is empowered and required to administer; and for every Default of any such Tanner, Dresser or Maker, in making such Entry, or verifying the same by Affidavit as aforesaid, he or she shall forfeit the Sum of Twenty Pounds.

Oath.

Penalty.

XIII. And

XIII. And be it further enacted, That it shall and may be lawful for any Officer of Excise, at any time in the Day-time, to enter into any Tan House, Tan Yard, Workhouse, Mill or other Yard or Place used by any Tanner of Skins with Sumack, or of Skins tanned for Roans, Gloves or Basils, or by any Dresser of Hides or Skins in Oil, or by any Maker of Vellum or Parchment, or into any Place where any such Skins, Vellum or Parchment shall be, to search and see what Quantities of Hides or Skins and Pieces of Hides or Skins, Vellum and Parchment respectively, are taken out of the Mill, Ooze, Liquor, Oil or other Material, to be dried or made fit for Sale or Use; and also into the Houses and other Places belonging to every Dealer in Leather tanned with Sumack, or for Roans, Gloves and Basils, and every Place where such tanned Leather, Leather dressed in Oil, or Vellum or Parchment, shall be stored or shall be kept to be weighed or sold or manufactured, in order that such Officer may search and see whether the Hides and Skins, Vellum and Parchment therein be duly stamped; and if any such Tanner or any Dresser of Hides and Skins in Oil, or Maker of Vellum or Parchment, or Dealer in such Leather, Vellum or Parchment, or Owner or Occupier of any such Place as aforesaid, or his or her Servant, shall refuse such Entrance to any Officer of Excise, or not permit any such Officer to enter as aforesaid, every such Tanner, Dresser or Maker of Vellum or Parchment, or Dealer in Leather, Vellum or Parchment, or Owner or Occupier, who or whose Servant shall refuse or not permit such Entrance as aforesaid, shall, for every Offence, forfeit the Sum of Twenty Pounds; and if any such Tanner or Dresser of Hides or Skins, or Maker of Vellum or Parchment, or Dealer in Leather, Vellum or Parchment, or his or her Servant, shall not on Demand made by any Officer of Excise at the Tan Yard, or other Place of such Tanner, Dresser, Maker or Dealer in Leather, Vellum or Parchment, where any Hides or Skins, or Vellum or Parchment are kept, shew such Officer all the Stock of Hides and Skins and Pieces of Hides and Skins and Vellum and Parchment in the Possession of such Tanner, Dresser, Maker or Dealer in Leather, or Vellum or Parchment, or shall not permit such Officer to take an Account thereof, every such Tanner, Dresser, Maker or Dealer, shall for every Neglect or Refusal, by him or her, or by his or her Servant, forfeit Twenty Pounds; and if any Person shall fraudulently conceal any Hides or Skins whatever, or Pieces of Hides or Skins, or any Vellum or Parchment, to the Intent to defraud His Majesty, his Heirs and Successors of the Duty payable thereon, then and in every such case such Person shall, for every such Offence, forfeit Twenty Pounds, and all Skins tanned in manner aforesaid, and all such Hides, Calves Skins or other Skins whatever, and all Pieces of Hides or Skins dressed in Oil, and all Vellum and Parchment, which shall have been removed and carried away before the several Duties payable upon or in respect of the same shall be severally charged and entered as by this Act is directed, or which shall not be shewn to any Officer of Excise after Demand as aforesaid, or which shall be fraudulently hidden or concealed, shall be forfeited, and may be seized by any Officer of Excise; and all Hides and Skins, and Pieces of Hides and Skins, tanned or dressed as aforesaid, and all Vellum and Parchment, found in any Place belonging to such Tanner or Dresser of Leather, or Maker of Vellum or Parchment,

Officers may enter Places used by Tanners and Parchment Makers and by Dealers.

Penalty.

Penalty.

Penalty.

In what case deemed concealed.

of

of which such Notice as aforesaid shall not have been given, shall be deemed and taken to be concealed.

Removing Skins  
or Parchment.

XIV. And be it further enacted, That every Tanner of Skins with Sumack or of Skins tanned for Roans, Gloves or Basils, and every Dresser of any Hides or Skins in Oil, and every Maker of Vellum and Parchment, shall from time to time, before any Hides or Skins, or any Vellum or Parchment shall be removed from any of his, her or their Yards, Workhouses or other Places of dressing, drying or keeping the same respectively, give Two Days' Notice in Writing to the Officer of Excise, of all Hides or Skins and Pieces thereof, and all Vellum and Parchment, which he, she or they intend to remove, to the Intent that the Officer of Excise may ascertain the Duties payable for the same, according as the same are chargeable by Weight or Tale; and every such Tanner, Dresser and Maker shall permit any Officer of Excise, at his or her Yard or Place where such Hides or Skins, or Pieces of Hides or Skins, or Vellum or Parchment, shall be dressed, dried or kept, to weigh and take an Account of the Numbers and Quality thereof, and of the Weight of all such Hides, Calves Skins or other Skins, or Pieces of Hides or Skins, as are chargeable with Duty by Weight, before the same shall be removed from the Places of dressing, finishing, drying or keeping the same respectively.

Notice.

Officers permitted  
to weigh and  
take Accounts  
of Skins, &c.

Weights, Num-  
bers and Quali-  
ties of Skins  
entered.

XV. And be it further enacted, That when the Duties chargeable on Skins tanned with Sumack, or for Roans, Gloves and Basils, or on any Hides or Skins, and Pieces of Hides and Skins dressed in Oil, or on any Vellum and Parchment, shall be ascertained by Weight or Tale, the Officers of Excise shall enter in a Book the respective Weights and Numbers and Quality of all such Hides and Skins, and Pieces of Hides and Skins, and Vellum and Parchment, whereof the Duties shall have been so ascertained as aforesaid, and shall make a Return or Report thereof in Writing to the Collector of the District, leaving a Copy thereof under his Hand with the respective Tanners or Dressers of such Hides and Skins, and Pieces of Hides and Skins, and Makers of such Vellum and Parchment; which Return or Report shall be a Charge on the Tanners, or Dressers of such Hides, Calves Skins or other Skins whatever, and Pieces of such Hides and Skins, and the Makers of such Vellum and Parchment respectively.

Duties marked  
on Skins.

XVI. And be it further enacted, That immediately from and after the Duty upon such Skins, and Pieces of Skins, tanned with Sumack, or for Roans, Gloves and Basils, and upon any Hides or Skins, and Pieces of Hides and Skins, dressed in Oil, and upon such Vellum and Parchment, shall be ascertained by Weight or Tale as aforesaid, and an Entry thereof made in a Book to be kept by the Officer or Officers who shall have so ascertained the same, such Officer or Officers shall cause every Hide and Skin, and every Piece of a Hide and Skin, and all Vellum and Parchment, whereof the Duty shall be so ascertained, to be marked with such Mark as this Act directs to be used, to denote the charging of such Duty as aforesaid; Provided always, that in case any Tanner, Dresser or Finisher of such Hides and Skins, or Maker of Vellum and Parchment, shall desire that the said Mark be made upon any particular Part thereof, then the Officer marking the same shall mark such Hide or Skin, Vellum or Parchment accordingly; and Officers in marking Hides and Skins, and Vellum and Parchment, shall do no Damage or the least Damage that may be to the same.

Marks put  
where desired.

XVII. And



**XVII.** And, for the better ascertaining of the Duty chargeable by Weight or Tale on all Hides and Skins, and Pieces of Hides and Skins, tanned with Sumack, or for Roans, Gloves and Basils, upon all Hides or Skins, and Pieces of Hides and Skins, dressed in Oil, and upon Vellum and Parchment; and for preventing Frauds between the Officers of Excise and Tanners, Dressers and Makers thereof, be it enacted, That every such Tanner or Dresser, and every Maker of Vellum and Parchment, shall keep all such Hides and Skins, and Pieces of Hides and Skins, and all Vellum and Parchment, which have not been duly stamped by any Officer of Excise, separate from all Hides and Skins, and Pieces of Hides and Skins, and Vellum and Parchment, which shall have been duly stamped with the Stamp denoting the charging of such Duty; and shall also keep all such last mentioned Hides and Skins, and Vellum and Parchment, separate from all other Hides and Skins, and Pieces of Hides and Skins, and Vellum and Parchment, which at any time or times before had been stamped, for the Space of Two Days after the stamping thereof, unless the same shall have been sooner reweighed or taken an Account of by the proper Officer of Excise, on Pain of Forfeiture for every Offence therein the Sum of Twenty Pounds: And if any Skins, or Pieces of Skins, tanned with Sumack, or tanned for Roans, Gloves or Basils, shall be removed from the Yard or Drying Place or Stores of any Tanner thereof; or if any Hides or Skins, or Pieces of Hides or Skins, dressed or finished in Oil, or any Vellum or Parchment, shall be removed or conveyed from the Yard or Drying Place or Stores of any Dresser or Maker thereof, before the Expiration of Two Days next after the stamping thereof, unless the same shall sooner have been weighed or taken an Account of by the proper Officer of Excise, the Tanner or Dresser of such Hides or Skins, or Pieces of Hides or Skins, and Maker of such Vellum or Parchment, shall for every time he shall offend herein forfeit the Sum of Twenty Pounds.

Unstamped  
Skins kept  
separate as well  
as those stamped.

Penalty.

**XVIII.** And be it further enacted, That every Person who shall tan as aforesaid, or dress in Oil any such Hides or Skins or Pieces thereof, shall at every Yard or Place used by such Person for drying Hides and Skins, provide and keep, at his or her own Costs and Charges, sufficient and just Scales and Weights for weighing and reweighing all such Hides and Skins and Pieces of Hides and Skins which shall be in their respective Yards and other Places, and shall bring or cause the same to be brought to the Scales, and shall assist the Officers of Excise in weighing and reweighing such Hides and Skins and Pieces of Hides and Skins, in such manner as such Officer shall think most convenient, and in examining from time to time the depending Stock of Hides and Skins and Pieces of Hides and Skins of every such Tanner and Dresser of Leather.

Penalty.

Scales and  
Weights pro-  
vided.

**XIX.** And be it further enacted, That if upon any reweighing of any Hides or Skins or Pieces of Hides or Skins chargeable by Weight, the same shall be found to be of greater Weight than the Weight according to which the same were respectively charged with Duty on the first weighing of the same, all such Hides and Skins and Pieces of Hides and Skins shall be charged with Duty according to such greater Weight; and the Officer of Excise who shall have reweighed the same, shall make a Return or Report thereof

On reweighing,  
Hides and Skins  
found heavier,  
charged ac-  
cordingly.

thereof to the Collector of the District, in the same manner as any Officer is hereby directed to make a Return or Report of the first weighing thereof; and such Return or Report shall in like manner be a Charge on the Tanners or Dressers thereof respectively.

When Duties  
on Skins to be  
paid.

XX. And be it further enacted, That every Tanner of Skins with Sumack, or of Skins tanned for Roans, Gloves and Basils, and every Dresser of Leather in Oil, and Maker of Vellum and Parchment, shall pay off and discharge all the Duties charged upon him or her in respect of all such Hides and Skins, Vellum and Parchment so marked as aforesaid, within One Month if in the City of *Dublin* or the Liberties adjoining, and within Two Months in all other Parts of *Ireland*, after the same shall be so marked and stamped as aforesaid, to the Collector of the District in which he or she shall reside; and such Collector is hereby required to give Receipts for all the Money he shall from time to time receive for the Duties aforesaid, to the Person or Persons who shall pay the same.

Not paying  
within Time  
prescribed.

XXI. And be it further enacted, That every Tanner so charged with the respective Duties on Skins tanned with Sumack, and Skins tanned for Roans, Gloves and Basils, and every Dresser of Hides and Skins in Oil, and every Maker of Vellum and Parchment, so charged with the respective Duties thereon, who shall neglect to make such Payment as aforesaid within the time aforesaid, shall forfeit for every such Neglect the Sum of Twenty Pounds, and Double the Amount of the Duty, the Payment whereof shall not be so made; and shall not after such Neglect or Default send, deliver or carry out, or suffer to be carried out, any Hides or Skins or Pieces of Hides or Skins, Vellum or Parchment, until all such Duty as aforesaid shall have been paid and cleared off, on Pain of forfeiting the Sum of Fifty Pounds, and Double the Value of the Hides or Skins or Vellum or Parchment so delivered or carried out.

Penalty.

Penalty.

Not keeping just  
Scales and  
Weights.

XXII. And be it further enacted, That if any such Tanner or Dresser of Leather shall not keep at every Yard or other Place used by him or her for drying or keeping Hides or Skins, just Scales and Weights as this Act directs, or shall by himself or herself, or any Person employed by him or her, refuse to permit or shall not suffer any Officer of Excise who shall desire to weigh or reweigh any Hides or Skins or Pieces of Hides or Skins belonging to such Tanner or Dresser, at such Yard or Places as aforesaid, to weigh or reweigh the same, or shall by himself or herself, or by any Person employed by him or her, neglect or refuse to bring the same to the Scales, or to assist at weighing or reweighing the same, in such manner as such Officer shall think most convenient, every such Tanner or Dresser shall, for every Default, Neglect or Offence herein, forfeit the Sum of Twenty Pounds; and if any Officer of Excise shall at the Yard or other Place of any Tanner or Dresser be furnished with any unjust Scales or Weights for weighing or reweighing Hides or Skins or Pieces of Hides or Skins, or be furnished with any Scales or Weights, which, on weighing or reweighing any Hides or Skins or Pieces of Hides or Skins, shall by any Device not exhibit the true Weight thereof, every such Tanner or Dresser shall, for every such Offence, forfeit the Sum of Fifty Pounds.

Penalty.

Penalty.

« XXIII. And

‘ XXIII. And whereas it is necessary for the Collection of the  
 ‘ Duties on Leather tanned with Sumack, and for Roans, Gloves  
 ‘ and Basils, and on all Skins dressed in Oil, and on Vellum and  
 ‘ Parchment, that Papers, called ‘ Specimen Papers,’ shall be put  
 ‘ up and preserved in the Storehouse of every such Tanner and  
 ‘ Dresser of Leather, and Maker of Vellum and Parchment, in  
 ‘ order that Officers of the Revenue visiting their Yards and Stores  
 ‘ shall make Entries on such Paper of their Visits at such Places  
 ‘ respectively, and of all Notices given of taking Hides and Skins  
 ‘ out of the Pit or Ooze, or Oil or other Materials, and of requiring  
 ‘ the Officers of Excise to stamp or mark the same, and of the  
 ‘ Quantity and different Species and Quality of Hides and Skins  
 ‘ and Vellum and Parchment stamped and marked by such Offi-  
 ‘ cers; and of all such other Matters and Things as the said  
 ‘ Officers shall think fit or be directed to make Entries;’ Be it  
 ‘ enacted, That every Tanner, and every Dresser or Finisher of Leather,  
 ‘ and Maker of Vellum and Parchment, who shall be furnished by  
 ‘ any Officer of the Revenue with any such Specimen Paper, shall  
 ‘ cause the same to be fixed on Boards conveniently made for that  
 ‘ Purpose, and shall cause such Specimen Paper so fixed, to be hung,  
 ‘ posted or put up in his or her Store-house, in the most public  
 ‘ and conspicuous Place, and preserve and keep the same so posted,  
 ‘ in such manner that any Officer of the Revenue visiting at such  
 ‘ Storehouse, may view the same and make Entries thereon; and if  
 ‘ any such Tanner, or Dresser, or Maker as aforesaid, shall not post  
 ‘ or put up or preserve such Specimen Paper, in manner herein directed  
 ‘ (unavoidable Accidents excepted), he or she shall, for every such  
 ‘ Offence, forfeit the Sum of Fifty Pounds.

Tanners to hang  
 up Specimen  
 Papers.

XXIV. And be it further enacted, That if any Skins or Pieces  
 of Skins tanned with Sumack, or for Roans, Gloves or Basils, or any  
 Hides or Skins, or Pieces of Hides or Skins dressed in Oil, or  
 any Vellum or Parchment, shall be removed or conveyed from the  
 Yard, Workhouse, Drying Place or Stores of any Tanner, Dresser  
 or Maker thereof, before the Duties payable thereon by Weight  
 or Tale shall be duly and fully charged by Weight or Tale, and  
 before such Hides or Skins or Pieces thereof, or Vellum or Parchment,  
 shall be stamped or marked to denote the charging of the said  
 Duty by Weight or Tale, the Tanner, Dresser or Maker, out of  
 whose Yard or other Place such Hides or Calves Skins or other Skins  
 whatever, or Pieces of Hides and Skins, or Vellum or Parchment,  
 shall have been so removed or conveyed, and every Buyer, Contractor  
 or other Person who shall take away or cause or procure to be  
 taken from any such Yard or other Place, any such Hides or Skins,  
 or Pieces of Hides or Skins, or Vellum or Parchment, or in whose  
 Possession any such shall be found, shall, for every Offence, forfeit  
 the Sum of Fifty Pounds, and all such Skins and Pieces of Skins  
 tanned with Sumack, or for Roans, Gloves and Basils, and all such  
 Hides and Skins and Pieces of Hides and Skins dressed in Oil,  
 and all Vellum and Parchment, which shall be found in any other  
 Place than the Yard, Drying Place or Stores of a licensed Tanner  
 or Dresser of Leather, or Maker of Vellum and Parchment, without  
 such Stamp or Mark as aforesaid, to denote the charging of the  
 said Duties by Weight or Tale, or which shall be found in any  
 Place with any false or forged Mark or Stamp used to denote the  
 charging

Penalty.  
 Removing  
 Skins before  
 Duty marked  
 and charged.

Penalty.

Penalty.

Accounts settled  
and balanced  
every Three  
Months between  
Tanners and  
Collectors.

charging of the said Duties by Weight or Tale, or resembling any Part of such Mark or Stamp, shall be forfeited, and shall and may be seized by any Officer of Excise.

XXV. And be it further enacted, That every Tanner of Skins with Sumack, or of Skins tanned for Roans, Gloves or Basils, and every Dresser of Hides or Skins in Oil, and every Maker of Vellum and Parchment, shall, once in every Three Months at least, settle an Account with the Collector of the District in which he or she reside, of and for the Hides and Skins and Pieces of Hides and Skins, and Vellum and Parchment, of such Tanner, Dresser and Maker respectively, which within the time of every such Account shall have been taken out of the Ooze, Mill, Liquor, Oil or other Ingredients used for tanning or steeping, dressing or making the same, and of his Entries thereof, with the Officers; and shall at the same time balance such Account, by Hides and Skins or Pieces of Hides and Skins, and Vellum and Parchment, for which the Duty shall have been charged as aforesaid, and by such Hides and Skins, Vellum and Parchment then remaining in his Hands unmarked, and for which Duty shall not have been charged as aforesaid; which Account every such Tanner, Dresser and Maker, shall truly and faithfully make as aforesaid, under the Penalty of Fifty Pounds, and that every Officer, upon the taking every such Account, shall inform himself concerning the Truth or Falsehood thereof to the end that if such Tanner, Dresser or Maker shall have unlawfully conveyed away any of such Hides or Skins contrary to this Act, or shall have defrauded His Majesty, his Heirs or Successors, of any Part of the Duties payable for the same, he may be proceeded against for the Recovery of such Duties, and of such Penalties and Forfeitures as are by this Act prescribed for such Offence.

Penalty.

Commissioners  
to provide  
Stamps for mark-  
ing Skins, &c.  
imported into,  
as well as for  
those tanned,  
&c. in Ireland.

XXVI. And be it further enacted, That the Commissioners of Inland Excise and Taxes in *Ireland* shall provide or cause to be provided Marks or Stamps, with which all Skins and Pieces of Skins tanned with Sumack, or for Roans, Gloves and Basils, and all Hides and Skins and Pieces of Hides and Skins dressed in Oil, and all Vellum and Parchment imported into *Ireland*, shall be marked or stamped upon the Payment of the Duties on the Importation thereof, and shall also provide Marks and Stamps with which all Skins and Pieces of Skins tanned in *Ireland* with Sumack, or for Roans, Gloves and Basils, and all Hides and Skins dressed in *Ireland*, and Vellum and Parchment made in *Ireland*, shall be stamped or marked to denote the Payment of the Duty thereon, according to the Weight or Tale thereof; and shall cause the said respective Marks or Stamps to be distributed to the proper Officers, for the several Purposes before mentioned; and such Marks and Stamps, or any of them, shall or may be altered, changed or renewed from time to time as the said Commissioners of Inland Excise and Taxes, or any Three or more of them, shall think fit; and if any Person or Persons shall counterfeit or forge any Stamp or Mark which shall be kept or used for denoting the charging of any Duty chargeable on Hides or Skins, or on Vellum and Parchment, or shall counterfeit, mark or impress, or cause or procure to be counterfeited, marked or impressed, upon any Hide or Skin or any Piece of any Hide or Skin, or on any Vellum or Parchment, any Mark or Device to resemble any of the Marks or Devices aforesaid, thereby to defraud His Majesty, his

Counterfeiting  
Stamps, &c.

Heirs

Heirs or Successors, of any of the Duties aforesaid, or shall utter, vend or sell, or cause or procure to be uttered, vended or sold, any Hide or Skin or Piece of any Hide or Skin, or any Vellum or Parchment, with such counterfeit Mark or Impression thereupon, knowing such Mark or Impression to be counterfeited, then every such Person so offending, being thereof convicted in due Form of Law, shall be adjudged a Felon, and shall be transported for the Term of Seven Years.

Transportation.  
Stamps altered.

XXVII. And be it further enacted, That as often as the Stamps or Marks for denoting the charging of the Duty on Hides and Skins tanned as aforesaid, and dressed in Oil, and on Vellum and Parchment, or any of them, shall be altered or changed, Notice thereof shall be given by the said Commissioners, or any Three or more of them, in the *Dublin Gazette*, for Three successive Days of Publication thereof; and that any Person who shall have in his or her Custody or Possession any Hides or Skins marked with the Stamp or Mark before such time in Use, may within such time as the said Commissioners shall by the said Notice appoint, not less than Two Months from the Third Day of the said Publication of the said Notice, require the Officers of Excise authorized to stamp Hides and Skins and Vellum and Parchment, to stamp the same; and every such Officer is hereby required without Fee or Reward, within Twenty four Hours after Demand, to stamp and mark the same with the new Stamp or Mark which the said Commissioners shall have provided for denoting the charging of the said Duty.

Notice.

Officer to stamp,  
&c. with new  
Stamp, &c.

XXVIII. And be it further enacted, That after the Expiration of the Time so to be appointed, within which such Hides and Skins and Pieces of Hides and Skins and Vellum and Parchment, as had been stamped or marked with the former Stamp or Mark used for denoting the charging of the said Duties respectively, may be stamped or marked with the new Stamp or Mark which shall have been provided, every Hide or Skin or Piece of any Hide or Skin tanned as aforesaid, or dressed in Oil, or any Vellum or Parchment, found in the Possession of any Person, without such new or altered or changed Stamp or Mark thereon, shall be forfeited, and may be seized by any Officer of His Majesty's Revenue.

Stamps found  
without new  
Stamps, in what  
case seized.

Penalty.

XXIX. And be it further enacted, That no Drawback of any of the Duties chargeable on Hides and Skins and Pieces of Hides and Skins tanned in *Ireland*, or any Manufacture of such tanned Hides or Skins, or on any Hides or Skins dressed in Oil, in *Ireland*, or any Manufacture thereof, or on any Vellum or Parchment made in *Ireland*, which shall be exported, shall be allowed or paid, unless Proof be made by the Person exporting the same, that all the several Duties chargeable, or which ought by Law to have been charged on such Hides and Skins, or Vellum and Parchment respectively, have been paid; nor unless the Person exporting the same shall have performed regularly the same Requisites, and complied with the same Regulations as are or may be required by Law to be performed and observed by Persons exporting any Article chargeable with an Inland Duty, whereon any Drawback is payable for obtaining the same; and such Drawback when allowed shall be paid by the Collector of the Port from which such Goods shall be exported, out of any Monies in his Hands arising from any Aids granted to His Majesty.

Drawback not  
allowed unless  
Proof of Pay-  
ment of Duty,  
and Requisites  
performed.

XXX. And be it further enacted, That all pecuniary Fines inflicted by this Act shall be payable in *British* Currency, and that all and every the

Recovery of  
Fines, &c.

14 & 15 Car. 2.  
(1.) Sess. 4. c. 8.

Appeal.

the Fines, Penalties and Forfeitures inflicted by this Act shall and may be sued for, recovered, levied and applied, in such manner and form, and by such ways and means, and with such Powers and Authorities as are prescribed, directed and appointed in and by an Act of Parliament made in *Ireland* in the Fourteenth and Fifteenth Years of the Reign of His late Majesty *Charles* the Second, intituled *An Act for the settling of the Excise or new Impost upon His Majesty, his Heirs and Successors, according to the Book of Rates therein inserted*, or by any Law or Laws relative to His Majesty's Revenue of Excise in *Ireland*, as fully and effectually to all Intents, Constructions and Purposes, as if the same were particularly mentioned and expressed and re-enacted in this Act; with the like remedy of Appeal to and for the Party and Parties who shall think him, her or themselves aggrieved or injured, as in and by the said Act of Excise, or any other Law or Laws relating to his Majesty's Revenue of Excise in *Ireland*, is provided.

### C A P. LXI.

An Act for raising the Sum of Two Millions by way of Annuities and Treasury Bills for the Service of *Ireland*.

[3d June 1813.]

“ CONTRIBUTORS for every 100l. (*Irish* Currency) entitled to  
 “ 100l. in the *Irish* 3½ per Cents. from 25th *December* 1812; and to  
 “ 20l. in the *Irish* 5l. per Cents. from 25th *March* 1813; and to  
 “ 11l. 15s. *Irish* Currency in Treasury Bills payable in Four Years  
 “ from 25th *March* 1813 at 5 per Cent. Interest, § 1. Forging,  
 “ &c. Receipts, &c. Death, § 19.

### C A P. LXII.

An Act to permit the Entry for Home Consumption of Sugar the Produce or Manufacture of *Martinique, Mariegalante, Guadaloupe, Saint Eustatia, Saint Martin and Saba*, at a lower Rate of Duty than is payable upon Sugar not of the *British* Plantations.

[3d June 1813.]

See 49 G. 3.  
c. 61.  
50 G. 3. c. 61.

Sugar of *Martinique*, &c. admitted to Entry on Payment of Duty.

“ **W**HEREAS, upon the Importation into *Great Britain* of Sugar  
 “ the Growth, Produce or Manufacture of the Islands of  
 “ *Martinique, Mariegalante, Guadaloupe, Saint Eustatia, Saint Martin*  
 “ and *Saba*, the like Duties are payable as upon Sugar not the Growth,  
 “ Produce or Manufacture of the *British* Plantations, and it is ex-  
 “ pedit that the Duties should be reduced;’ 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 any Sugar the Growth, Produce or Manufacture of any or  
 “ either of the said Islands of *Martinique, Mariegalante, Guadaloupe,*  
 “ *Saint Eustatia, Saint Martin and Saba*, imported before the Twelfth  
 “ Day of *May* One thousand eight hundred and thirteen, may be  
 “ admitted to Entry for Home Consumption on Payment of Ten Shil-  
 “ lings for every Hundred Weight of Clayed Sugar, and Five Shillings  
 “ for every Hundred Weight of Muscovado Sugar, over and above the  
 “ Duties payable on the like Description of Sugar, the Growth, Produce  
 “ or Manufacture of the *British* Plantations; and the Commissioners of  
 “ His Majesty’s Customs in *England* and *Scotland* respectively may  
 “ continue

continue to admit the Entry of any Sugar the Produce of the said Islands of *Martinique, Mariegalante, Guadeloupe, Saint Eustatia, Saint Martin and Saba*, on Payment of such Duties, until it shall appear by Notice in the *London Gazette* in manner directed by an Act passed 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*, that the Average Price of Brown or Mulcovado Sugar taken in manner directed by the said recited Act for Four Weeks successively, shall be less than Fifty three Shillings the Hundred Weight, when the said Sugar shall again be subject and liable to Duties, Regulations, Restrictions, Penalties and Forfeitures as Sugar not of the *British* Plantations. 32 G. 3. c. 43.

II. And be it further enacted, That the said Duties of Ten Shillings and Five Shillings respectively shall be an Addition to the permanent Duties chargeable on the said Sugar. Duties added to Permanent Duties.

III. And be it further enacted, That a Drawback of the whole of the said Duties shall be allowed on the Exportation of such Sugars from *Great Britain*. Drawback allowed.

IV. And be it further enacted, That the said Duties of Customs and Drawbacks of Duties of Customs shall be managed, ascertained, raised, levied, collected, paid, recovered and allowed in such and the like manner as any Duties of Customs or Drawbacks of Duties of Customs of a like nature are managed, ascertained, raised, levied, collected, paid, recovered and allowed, and under and subject to the several Powers, Conditions, Rules, Regulations, Restrictions, Penalties and Forfeitures now in force in relation to or made for securing the Revenue of Customs in *Great Britain*, and all Pains, Penalties, Fines and Forfeitures for any Offences whatever committed against or in Breach of any Act or Acts of Parliament in force on or 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 be in full Force and Effect as to the said Duties and Drawbacks as fully and effectually to all Intents and Purposes as if they were at large repeated and re-enacted in this Act. Duties and Drawbacks how levied and paid.

V. And be it further enacted, That all Monies from time to time arising from the said Duties, 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 shall be appropriated and applied in the same manner as the Duties imposed by an Act of the Forty ninth Year of the Reign of His present Majesty, intituled *An Act for repealing the several Duties of Customs chargeable in Great Britain, and for granting other Duties in lieu thereof*, are appropriated and applied. Appropriation of Duties. 49 G. 3. c. 98.

[See c. 105. § 10. post.]

VI. And be it further enacted, That this Act may be varied, altered or repealed by any Act or Acts to be made in this present Session of Parliament. Act altered, &c.

## C A P. LXIII.

An Act to extend Two Acts of the Forty fifth and Forty ninth Years of His present Majesty to *American Prizes*.

[3d June 1813.]

45 G. 3. c. 72.

49 G. 3. c. 123.

Extended to Prizes taken from Inhabitants of United States of America.

WHEREAS an Act passed in the Forty fifth Year of the Reign of His present Majesty, intituled *An Act for the Encouragement of Seamen, and for the better and more effectually manning His Majesty's Navy during the present War*: And whereas the said Act contains Provisions and Regulations touching Matters that had arisen or might arise in consequence of the general Reprisals which His Majesty had been pleased to order against the Ships, Goods and Subjects of the several Powers with whom His Majesty was engaged in War at the time of the passing of the said Act: And whereas one other Act passed in the Forty ninth Year of the Reign of His present Majesty, intituled *An Act to explain and amend an Act made in the Forty fifth Year of His present Majesty for the Encouragement of Seamen, and for the better and more effectually manning His Majesty's Navy during the present War; and for the further Encouragement of Seamen, and for the better and more effectually providing for the Interest of the Royal Hospital for Seamen at Greenwich and the Royal Hospital for Soldiers at Chelsea; and to extend the Provisions of the said Act to cases arising in consequence of Hostilities commenced since the passing of the said Act*: And whereas the said Act, passed in the Forty ninth Year of His Majesty's Reign, contains certain Alterations of some of the Provisions of the afore-said former Act, and also contains sundry other Provisions and Regulations: And whereas His Majesty hath, since the passing of the said Act, deemed it necessary, for the Honour of His Crown and the Safety of His People, to order that general Reprisals should be granted against the Ships, Goods and Citizens of the United States of *America*, and others inhabiting within the Territories thereof; 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 and every of the Provisions and Regulations contained in the said Act, passed in the Forty fifth Year of His Majesty's Reign, so far as the same are not varied, altered or repealed by the said other Act, passed in the Forty ninth Year of His Majesty's Reign, and also that all and every the Provisions, Regulations and Enactments contained in the said Act, passed in the Forty ninth Year of His Majesty's Reign, shall be applied to all cases arising from the said Orders of general Reprisal, issued against the Ships, Goods and Citizens of the said United States of *America*, and others inhabiting within the Territories thereof, in like manner and to the like Effect as the said Provisions, Regulations and Enactments are directed to be applied to all cases arising from the Orders of general Reprisal recited in the said Acts, and shall extend to all Proceedings which have been had or may hereafter be had in consequence of the said Orders of Reprisal issued against the Ships, Goods and Citizens of the said United States of *America*, and others inhabiting within the Territories thereof, in as full Force and Effect as if the same were particularly enacted in this Act, subject nevertheless



less with respect to the Distribution of any Prize Money arising in consequence of the said general Reprifals, to such Provisions and Regulations as His Majesty has thought fit to establish by any Proclamation for that Purpose.

II. And be it further enacted, That this Act may be amended, altered or repealed by any Act or Acts to be passed in this Session of Parliament.

C A P. LXIV.

An Act for the better Regulation of the Court of Session in Scotland.

[3d June 1813.]

WHEREAS an Act was passed in the Fiftieth Year of the Reign of His present Majesty, intituled *An Act for abridging the Form of extracting Decrees of the Court of Session in Scotland, and for the Regulation of certain Parts of the Proceedings of that Court*, whereby it was, among other things, enacted, That the three junior Ordinary Judges of the First Division of the Court of Session, and the Two junior Ordinary Judges of the Second Division, should be relieved from Attendance in the Inner House, and should, from and after the passing of the said Act, not sit therein, but should sit as Lords Ordinary in the Outer House, to perform the Business of the Outer House; but by which Act it was provided, that the then junior Judges, who might be affected by the said Regulation, should not be bound by it except with their own Consent, and therefore that the Course of Rotation should remain as it was at the passing of the said Act, until, either by the Consent of the said Judges or by new Appointment of Judges, the requisite Number could be obtained for carrying the said System into Execution: And whereas by such new Appointments, such requisite Number is soon likely to be obtained, and it is expedient to make some further Regulations in that Behalf: 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 Three junior Ordinary Judges of the First Division of the Court of Session, and the Two junior Ordinary Judges of the Second Division for the time being, shall officiate as Permanent Lords Ordinary, in the manner hereinafter directed.

§ 29.

§ 31.

What Judges shall officiate as Permanent Lords Ordinary.

II. And be it enacted, That the junior or last appointed Judge for the time being, of the said Three junior Ordinary Judges of the First Division, shall in time of Session officiate exclusively as Lord Ordinary on the Bills, and perform the whole business of the Bill Chamber in time of Session: Provided nevertheless, that during the Spring, Autumn and Christmas Vacations, the whole Thirteen Ordinary Lords of Session shall continue to officiate as Ordinaries on the Bills, by Rotation each Week, as at present; any thing herein or in the Acts herein recited to the contrary notwithstanding.

What Judge shall officiate as Lord Ordinary on the Bills in Vacation.

III. And be it further enacted, That all Remits made from the Lords of Council and Session, as Commissioners for Plantation of Kirks and Valuation of Teinds, to a Lord Ordinary, shall be made to the said last appointed Judge of the said Three junior Ordinary

Remits from Court of Teinds, relative to Matters in Sequestrations, &c.

made to Lord  
Ordinary.

Judges of the First Division ; and also all Remits by either Division of the Court of Session to a Lord Ordinary, in Matters relating to Sequestration or Bankruptcy, and in such other Matters as to either Division shall seem proper, shall be made to the said last appointed Judge of the said Three junior Ordinary Judges of the said First Division ; and such last appointed Judge shall officiate in the Outer House and Bill Chamber, according to the Rules and Forms of Proceedings at present established, or which shall be established, by any Act or Acts of Sederunt of the whole Court of Session or a Quorum thereof.

Death, Resigna-  
tion, &c. of  
junior Judge.

IV. Provided always, and be it enacted, That in case of the Death, Resignation, Sickness or necessary Absence of the said last appointed or junior Ordinary Judge of the said First Division, it shall be competent to the whole Court of Session, or a Quorum thereof, to appoint the said other Four Permanent Ordinaries to officiate each Week by Rotation, as Ordinaries in the Bill Chamber and in Teind Processes, and other Matters above mentioned, until the said junior Judge shall again officiate, or another Judge be appointed in his stead.

Reclaiming  
and Report,  
Proviso for.

V. And be it enacted, That in all cases after the Commencement of this Act, where any Application in the Bill Chamber shall be made to the said last appointed or junior Ordinary Judge of the First Division, the Party complaining or making the Application, shall notify to such Judge the Division of the Court to which such Application shall be understood to belong ; and it shall be competent to either Party who shall be dissatisfied with any Interlocutor pronounced by such Lord Ordinary, to reclaim to such Division so notified ; and in cases of Remits to such last appointed or junior Judge of the First Division, it shall only be competent to reclaim to that Division of the Court by which the Remit shall have been made ; and in Remits from the Lords of Session, as Commissioners for Plantation of Kirks and Valuation of Teinds, it shall be competent to reclaim to the said Lords as such Commissioners ; and in cases where such last appointed or junior Judge shall think fit to take any Cause to report, such Report shall be made to the Division or Court to whom, in the Event of reclaiming, the Party or Parties is or are hereby directed and appointed to reclaim.

Lords Ordinary  
in the Outer  
House how ap-  
pointed.

VI. And be it further enacted, That the Two other of the said Three junior Ordinary Judges of the said First Division, and the said Two junior Ordinary Judges of the Second Division, shall officiate as Permanent Lords Ordinary in manner hereinafter directed ; that is to say, One of the said Four Ordinary junior Judges shall officiate each Week in time of Session, in the Outer House, for hearing and determining Causes in the Rolls of Suspensions, Advocations, Regulations and Ordinary Actions ; and for that Purpose the said Four Judges shall sit in the Outer House weekly by Rotation, in such manner as that a Judge or Ordinary of the First Division shall officiate the First Week, a Judge or Ordinary of the Second Division the Second Week, a Judge or Ordinary of the First Division the Third Week, and a Judge or Ordinary of the Second Division the Fourth Week ; and so alternately thereafter, a Judge of the one Division following a Judge of the other, as Ordinary in the Outer House, for hearing Causes in the Rolls of Suspensions, Advocations, Regulations and Ordinary Actions : Provided always, that in the Event

Proviso.

Event of such Arrangement being at any time prevented from taking place by the Death, Resignation, Sickness or Absence of any of the said Permanent Ordinaries, it shall be competent to the whole Court of Session, or a Quorum thereof, to make suitable Regulations for the Dispatch of Business during such Interruption of the ordinary Rotation.

VII. And be it enacted, That such Four Permanent Ordinaries, when officiating each Week as aforesaid, in hearing and determining Causes in the Rolls of Suspensions, Advocations, Regulations and Ordinary Actions, and when officiating at other times in carrying on the Processes depending before them, shall sit and officiate in the Outer House, according to the Rules and Forms of Proceeding at present established with respect to Lords Ordinary, or which shall be established by any Act or Acts of Sederunt of the whole Court of Session or Quorum thereof.

Where Four Permanent Ordinaries to sit.

VIII. Provided always, and be it enacted, That all Processes and Proceedings at present depending before any of the Thirteen Lords Ordinary belonging to either Division of the Court of Session, shall be carried on and brought to a Conclusion before such Lord Ordinary in the same manner as if there had been no Appointment of Permanent Ordinaries; for which Purpose each of such Lords Ordinary shall sit and officiate in the Outer House, in such manner and at such time and times as shall be directed by any Act or Acts of Sederunt of the whole Court of Session or Quorum thereof.

Processes depending before other Lords Ordinary brought to a Conclusion by them.

IX. And be it further enacted, That it shall be competent for either Division of the Court, or for any Ordinary, to remit any new Process to any of such Thirteen Lord Ordinaries, *ob Contingentiam* of any other Process already depending before him at the passing of this Act.

Remits *ob Contingentiam*.

X. And be it enacted, That in the Event of the Death or Resignation of any of the said Ordinary Judges, other than the said Five Permanent Ordinaries, it shall be competent to the whole Court of Session or Quorum thereof, to remit, by an Act of Sederunt or otherwise, the Processes then depending before any such Ordinary Judge to any or such of the Permanent Ordinaries belonging to the same Division as to the said Court or Quorum thereof shall appear to be proper, and that it shall be competent to make such Remit without any Petition or Motion to that Effect.

Death, &c. of Ordinary Judges (other than Five Permanent Ordinaries) Court of Session may remit Processes.

XI. And be it enacted, That in the Event of the Death or Resignation of the said last appointed or junior Judge of the said First Division for the time being, or in the Event of his ceasing to be such last appointed or junior Judge of the said First Division, it shall be competent to the whole Court of Session or Quorum thereof, in like manner to remit, by an Act of Sederunt or otherwise, the Processes then depending before such last appointed or junior Judge to the Judge who shall be appointed such last or junior Judge of the said First Division, and that without any Petition or Motion for that Purpose.

Death, &c. of junior Judge of First Division, Court of Session may remit Processes.

XII. And be it enacted, That in the Event of the Death or Resignation or Removal into the Inner House of any of the said Four Permanent Ordinaries, it shall be competent to the whole Court or Quorum thereof, in like manner to remit the Processes then depending before such Permanent Ordinary to One of the said

Death of Permanent Ordinaries, Court may remit Processes depending, &c.

Four Permanent Ordinaries belonging to the same Division, and that without any Petition or Motion for that Purpose.

48 G. 3. c. 151.  
§ 8.

Equality of  
Voices in either  
Division.

‘ XIII. And whereas by an Act passed in the Forty eighth Year of the Reign of His present Majesty, intituled *An Act concerning the Administration of Justice in Scotland, and concerning Appeals to the House of Lords*, it is enacted, That in case there should be an Equality of Voices in either Division, the Cause or Matter should remain for subsequent Discussion and Decision; and in case, upon such subsequent Discussion and Decision there should be again an Equality of Voices, the Judges of the said Division should call in One of the Lords Ordinary of the same Division from the Outer House, in the Order of their Seniority, as Judges to be present at the Discussion, and to vote in such case;’ Be it enacted, That in such last mentioned case, the Judges of the said First Division shall call in One of the said Three junior Ordinary Judges in Rotation, beginning with the senior of the said Three Judges; and the Judges of the said Second Division shall call in One of the said Two junior Ordinary Judges in Rotation, beginning with the senior of the said Two Ordinary Judges, to be present at the Discussion, and to vote in such case.

Either Division  
reduced below a  
Quorum.  
Proviso.

XIV. And whereas it may happen that by reason of Death, Resignation, Sickness, Declinature or unavoidable Absence, the Number of either Division may be reduced to less than a Quorum of Three; Be it enacted, That in any such case it shall be competent for such Division to call in One or more of the Permanent Ordinaries of such Division in Rotation, beginning with the senior; which Ordinary or Ordinaries, so called in, shall vote in such case, as if he or they were Members of the Inner House of such Division.

48 G. 3. c. 151.  
§ 10.

Questions in  
Writing stated  
for Opinion  
Judges.  
Proviso.

‘ XV. And whereas it is by the said last recited Act enacted, That it should be competent to the Judges of either Division, or the Quorum thereof, in any cases which should appear to them to be cases of Importance and Difficulty, to state Questions of Law in Writing on such cases, and to require the Opinions of the Judges of the other Division to be given thereupon, and that such Judges should be bound to communicate their Opinion thereupon, either as a collective Body or as individual Judges: And whereas it is expedient in such cases, that the Opinions of the said Three junior Ordinary Judges of the First Division, and of the said Two junior Ordinary Judges of the Second Division, should also be required;’ Be it therefore enacted, That in all cases where Questions of Law shall be so stated in Writing, it shall be competent to the Judges of either Division, or the Quorum thereof, to require the Opinions of the said Five Permanent Ordinaries as well as the Opinions of the Judges of the Inner House of the other Division; and the said Five Permanent Ordinaries, and the Judges of the Inner House of the other Division, shall be bound to communicate their Opinions thereupon.

48 G. 3. c. 151.  
§ 3.

repealed.

‘ XVI. And whereas by the said last recited Act it is enacted, That in each the said Divisions there should be an equal Number of the Judges of the Court of Justice, including the Lord Justice Clerk: And whereas, by reason of the Regulations prescribed by this Act, the circumstances in which such Provision was applicable, no longer exist;’ Be it therefore enacted, That the said Provision shall be and the same is hereby repealed.

‘ XVII. And

‘ XVII. And whereas a very great Number of Bills, commonly called Plack Bills, are daily presented at the Bill Chamber, which Bills, after being endorsed by the Clerk of the Bills, in Token of their being properly vouched by the requisite Documents presented to him for Examination, do now require the Subscription of the Lord Ordinary on the Bills, whereby much Trouble and waste of time is occasioned both to the Judges and Agents;’ Be it therefore enacted, That, from and after the passing of this Act, the Endorsement of the Clerk of the Bills officiating for the time, on such Bills usually called Plack Bills, shall be sufficient without the Subscription of the Lord Ordinary; except in cases where a Doubt or Difficulty shall occur to the Clerk of the Bills, which he shall report to the Lord Ordinary, whose Subscription shall then be necessary.

Plack Bills.  
Proviso.

XVIII. And be it enacted, That the said first recited Act passed in the Fiftieth Year of His present Majesty, and the said last recited Act of the Forty eighth Year of His present Majesty, excepting in so far as the same are altered or repealed by this Act, shall remain in force, and receive Effect, in such and the same manner as if this Act had not been made.

50 G. 3. c. 112.  
48 G. 3. c. 157.  
in force.

#### C A P. LXV.

An Act for continuing, until the Twenty fifth Day of July One thousand eight hundred and fourteen, an Act made in the Thirty third Year of His present Majesty, for rendering the Payment of Creditors more equal and expeditious in Scotland.

[3d June 1813.]

‘ WHEREAS an Act was made in the Thirty third Year of His present Majesty’s Reign, intituled *An Act for rendering the Payment of Creditors more equal and expeditious in that Part of Great Britain called Scotland*; which said Act was to continue for Five Years from the Seventeenth Day of June One thousand seven hundred and ninety three, and from thence to the End of the then next Session of Parliament; and was further continued by Six Acts of the Thirty ninth, Forty fourth, Forty sixth, Forty eighth, and Forty ninth, and Fifty first Years of the Reign of His present Majesty, until the Twenty fifth Day of July One thousand eight hundred and thirteen: And whereas it is expedient that the said Act should be continued for a further Term:’ 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 the said Act of the Thirty third Year of the Reign of His present Majesty, for rendering the Payment of Creditors more equal and expeditious in that Part of *Great Britain* called *Scotland*, shall be, and the same is hereby further continued from the Expiration thereof until the Twenty fifth Day of July One thousand eight hundred and fourteen.

33 G. 3. c. 74.

continued.

## C A P. LXVI.

An Act for explaining and clearing up certain Doubts respecting the Scites of Parish Churches within *Ireland*.

[3d June 1813.]

‘ **W**HEREAS in cases where it has been necessary to rebuild Parish Churches, Doubts have been entertained whether any Change could lawfully be made in the Scite thereof, even within the Limits of the Church Yard of the Parish;’ 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 Church in *Ireland*, which has been rebuilt within the last Fifty Years, shall be deemed and taken to be the Parish Church of the Parish or Union in which it is situated, to all Intents and Purposes, notwithstanding the Scite or Position of such new Church shall be different from that of the old one; provided it has been erected on Ground set apart as a Church Yard for the Parish; and that in all cases hereafter, when it shall be necessary to rebuild any Parish Church, such new Church shall be deemed and taken to be the Parish Church, to all Intents and Purposes, notwithstanding the Scite or Position of the new Church shall be different from that of the old one: Provided always, that such new Church shall be erected on the Ground set apart as a Church Yard for the Parish; and provided also, that the Plan of such new Church, and the Change in the Position thereof, shall be approved by the Archbishop of the Province and the Ordinary of the Diocese in which it is situated.

Doubts respecting Scites of Parish Churches in *Ireland* explained.

## C A P. LXVII.

An Act for empowering His Majesty to authorize the Importation and Exportation of certain Articles into and from the *West Indies*, *South America* and *Newfoundland*, until Six Weeks after the Commencement of the next Session of Parliament.

[3d June 1813.]

‘ **W**HEREAS it is necessary further to continue for a limited time the Powers vested in His Majesty, by virtue of an Act passed in the present Session of Parliament, intituled *An Act for indemnifying such Persons as have advised or acted under an Order in Council for allowing the Importation of certain Articles into the West Indies, and for permitting such Importation until the Thirtieth Day of June One thousand eight hundred and thirteen*;’ 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 His Majesty, from and after the passing of this Act, and until Six Weeks after the Commencement of the next Session of Parliament, by any Order or Orders in Council for that Purpose to be issued, further to authorize the Governor or Lieutenant Governor of any of the Islands in the *West Indies* to His Majesty belonging, in which Description the *Babama* and *Bermuda* or *Somers Islands* are included, or of any of the Lands and Territories to His Majesty

53 G. 3. c. 12.

His Majesty may authorize Governors of West India Islands, &c. to permit Importation and Exportation of certain Articles.

Majesty belonging on the Continent of *South America*, to permit the Importation of Corn, Grain, Meal, Flour, Bread, Biscuit and Rice, into any of the said Islands, Lands and Territories, in any unarmed Ship or Vessel not belonging to *France* or to the Subjects or Inhabitants thereof, or of any Port or Place annexed to the Territories of *France*, and to export therefrom in such Ship or Vessel, Rum and Molasses, and any other Goods and Commodities whatsoever, except Sugar, Indigo, Cotton Wool, Coffee and Cocoa, subject to such Regulations and Restrictions as shall be contained in such Order or Orders, and to such Instructions, as the Governor or Lieutenant Governor may from time to time receive from His Majesty, signified by One of His Majesty's Principal Secretaries of State.

II. And whereas it is necessary to provide in like manner for a more ready Supply of certain Articles to the Island of *Newfoundland*, than can now be had, under an Act passed in the Twenty eighth Year of His present Majesty's Reign, intituled *An Act for regulating the Trade between the Subjects of His Majesty's Colonies and Plantations in North America, and in the West India Islands, and the Countries belonging to the United States of America, and between His Majesty's said Subjects and the Foreign Islands in the West Indies;*

Be it therefore enacted, 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, by and with the Advice of His Privy Council, to permit or to authorize the Governor or Lieutenant Governor of *Newfoundland*, in such manner and under such Restrictions as to His Majesty, with the Advice of his Privy Council, shall seem fit, subject to such Instructions as may be from time to time signified to such Governor or Lieutenant Governor, by One of His Majesty's Principal Secretaries of State, to permit, when the necessity of the case shall appear to His Majesty, with the Advice of His Privy Council, to require it, from time to time, the Importation into the said Island of *Newfoundland*, of Corn, Grain, Meal, Flour, Rice and Ground Provisions, and the Exportation from the said Island of *Newfoundland*, of any Articles, Goods and Commodities that shall be mentioned in such Order of His Majesty in Council, in any unarmed Ship or Vessel not belonging to *France*, or to the Subjects or Inhabitants thereof, or of any Port or Place annexed to the Territories of *France*.

III. And be it further enacted, That all Acts done by virtue of any such Order or Orders in Council, shall be valid and legal; any Act or Acts of Parliament to the contrary notwithstanding.

### C A P. LXVIII.

An Act to repeal the Exemption from Toll granted for or in respect of Carriages with more than Two Wheel, carrying the Mail in *Scotland*; and for granting a Rate for Postage, as an Indemnity for the Loss which may arise to the Revenue of the Post Office from the Payment of such Tolls.

[3d June 1813.]

WHEREAS by an Act passed in the Twenty fifth Year of the Reign of His present Majesty, intituled *An Act to exempt Carriages carrying the Mail from paying Tolls at any Turnpike Gate*

‘ Gate in Great Britain, it was enacted, That, from and after the  
 ‘ Fifteenth Day of *July* One thousand seven hundred and eighty five,  
 ‘ all Carriages of what Description soever, or Horses which should  
 ‘ be employed in conveying from one Part of the Kingdom to  
 ‘ another the Mail or Packet which should be made up under the  
 ‘ Authority or Direction of His Majesty’s Postmaster General, or  
 ‘ his Deputy or Deputies, should be and the same were thereby  
 ‘ exempted, freed and discharged from the Payment of any Tolls  
 ‘ whatsoever that should or might be demanded for the Passage of  
 ‘ Carriages or Horses through any Turnpike, Toll Gate, or Bar  
 ‘ at which any Toll was collected by any Act or Acts of Parliament  
 ‘ then in force : And whereas a familiar Exemption has been granted  
 ‘ by all or most of the Acts of Parliament which have been passed,  
 ‘ since the said recited Act, for making and maintaining any Turn-  
 ‘ pike Road or Bridge, or for altering or enlarging the Powers of  
 ‘ such Acts of Parliament ; but which Exemption ought to cease  
 ‘ and determine in that Part of *Great Britain* called *Scotland*, in so  
 ‘ far as regards Carriages with more than Two Wheels, or any Horse  
 ‘ or Horses drawing the same :’ May it therefore please Your Majesty  
 that it may be enacted ; and be it enacted by the King’s Most Ex-  
 cellent 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 recited Act passed in the Twenty  
 fifth Year of the Reign of His present Majesty shall be and the same  
 is hereby repealed, in so far only as the same applies to *Scotland*, and  
 save and except in regard to Carriages with Two Wheels conveying  
 only the said Mail or Packet, with their Driver, and any Horse or  
 Horses drawing the same, and any Horse, not drawing, employed in  
 conveying the said Mail or Packet, which shall continue exempted  
 from the Payment of any Tolls or Duties ; any thing in this Act  
 to the contrary notwithstanding.

Repeal of Ex-  
 emptions in  
 Scotland.

Exemptions in  
 Local Acts for  
 Scotland, re-  
 pealed.

II. And be it further enacted, That, from and after the passing of  
 this Act, every Exemption granted by any Act or Acts of Parliament  
 which shall be in force in *Scotland* at the passing of this Act, whereby  
 any Carriages or Horses drawing the same, which shall be employed  
 in conveying from one Part of the Kingdom to another the Mail or  
 Packet which shall be made up under the Authority and Direction  
 of His Majesty’s Postmaster General, or his Deputy or Deputies,  
 are exempted, freed and discharged from the Payment of the Tolls  
 or Duties thereby granted, shall be and the same is hereby repealed ;  
 and such and the like Tolls and Duties shall thenceforth be paid and  
 payable for and in respect of such Carriages or Horses carrying the  
 said Mail or Packet in *Scotland*, as are and shall be paid and pay-  
 able for or in respect of Carriages or Horses of the like Descrip-  
 tion, not carrying such Mail or Packet, passing through any Turn-  
 pike Gate in *Scotland*.

Carriages with  
 Two Wheels  
 conveying Mails  
 exempted.

III. Provided always, and be it further enacted, That Carriages  
 with Two Wheels, conveying only the said Mail or Packet, with  
 their Driver, and any Horse or Horses drawing the same, and any  
 Horse, not drawing, employed in conveying the said Mail or Packet,  
 shall continue exempted from the Payment of any such Tolls or  
 Duties ; any thing in this Act to the contrary notwithstanding.

IV. Pro-



IV. Provided always, and be it further enacted, That no such Carriages or Horses carrying the said Mail or Packet shall be stopped at any Turnpike Gate or Bar in *Scotland*, for Payment of the Tolls or Duties payable for or in respect of such Carriages or Horses; nor shall such Tolls or Duties be let to farm, but the same shall be paid out of the Revenue of the Post Office in *Scotland*, at such time and in such manner as may be settled and agreed upon by and between the several Trustees entitled to demand or receive the same, and the Deputy in *Scotland* to His Majesty's Postmaster General, in such manner as that Payment may be made, at least Once in every Three Calendar Months: Provided nevertheless, that whenever such an Agreement shall not be made, or being made shall not be performed, then the several Tolls or Duties leviable for or in respect of any such Carriages or Horses carrying the said Mail or Packet, shall and may be recovered, in the Name of the Treasurer or Clerks of the respective Trusts, in the Court of Session or the Court of Exchequer in *Scotland* by summary Application, against the Deputy in *Scotland* to His Majesty's Postmaster General.

Stopping Mail Carriages at any Turnpike.

V. And be it further enacted, That if any Keeper of any Toll Bar, or any other Person, shall wilfully obstruct or delay any Carriage or Horse conveying the said Mail or Packet at or in passing any Turnpike Gate, every Person so offending shall, for every such Offence, forfeit and pay a Sum not exceeding Five Pounds Sterling, to be recovered within Three Calendar Months thereafter, on Proof upon Oath of the Offence either by the voluntary Confession of the Party or by the Oath of One or more credible Witnesses or Witnesses before any Justice of the Peace of the County or Stewartry or Place where the Offence shall be committed, or where the Offender shall be or reside, to be levied by Distress and Sale of the Offender's Goods and Effects under the Hand of such Justice, rendering the Overplus (if any) after deducting the Charges of such Distress and Sale, to the Person whose Goods and Effects shall have been so distrained or sold; and for want of sufficient Distress, such Justice is hereby required to commit such Offender to the Common Gaol of the County, Stewartry or Place where the Offence shall have been committed, for any time not exceeding Two Calendar Months, and every such Penalty shall and may be levied to the Use of the Person or Persons suing for the same.

Toll Bar Keepers delaying Mail Carriages.

Penalty.

Distress.

Imprisonment.

VI. And, in order to make up any Loss which may arise to the Revenue of the Post Office from the Payment of the Tolls and Duty hereby directed to be made by the Deputy in *Scotland*, to His Majesty's Postmaster General, to the several Trustees entitled to demand and receive the same, be it therefore enacted, That it shall and may be lawful to and for His Majesty's Postmaster General, and his Deputy and Deputies by him thereunto authorized, to and for the Use of His Majesty, his Heirs and Successors, from and after the passing of this Act, to demand, have, receive and take for the Post and Conveyance of all Letters and Packets which he shall convey, carry or send Post, in or by any Mail Coach or Carriage with more than Two Wheels, to or from any Place within *Scotland*, or from any Place within *England* and *Ireland*, or from any Parts beyond the Seas to any Place within *Scotland*, or from any Place within *Scotland* to any Place in *England* or *Ireland*, or any Parts beyond the Seas, in addition to all other Rates and Duties now payable

Loss arising to Revenue made good by additional Rates.

payable for the Conveyance by the Post of such Letters and Packets, the Sum of One Halfpenny for each Letter and Packet.

Letters conveyed where Mail Coaches not established.

VII. Provided always, and be it further enacted, That the Rates and Duties hereby granted shall not be payable for Letters conveyed by the Post in *Scotland* upon Roads where Mail Coaches are not now established in *Scotland*; but in case Mail Coaches shall at any future time be established on such Roads, the like Rate of Postage of One Halfpenny a Letter shall from thenceforth be payable in like manner as the present additional Rate of One Halfpenny is hereby made payable.

Additional Duty paid into Exchequer.

VIII. And be it further enacted, That the Duties hereby granted shall from time to time be paid into the Hands of the Receiver General for the time being of the Revenue of the Post Office, who shall pay the same (the necessary Charges of collecting, paying and accounting for the same being first deducted) into the Receipt of the Exchequer, and shall be appropriated and applied to such and the same Uses as the present Rates and Duties of Postage are by Law applicable.

General Issue in Court of Exchequer.

IX. And be it further enacted, That if any Person or Persons shall at any time be sued, molested or prosecuted for any thing by him, her 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, in the Court of Exchequer in *Scotland*, plead the General Issue, and give the Special Matter in Evidence for his, her 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 Cofts awarded to him, her or them, against such Plaintiff or Plaintiffs; and in every such Action or Process brought before the Court of Session in *Scotland*, the Defendant or Defendants shall and may deny the Libel, and give this Act and the Special Matter in Evidence, and that the same was done in pursuance of and by the Authority of this Act; and if the same shall appear to have been so done, or if such Action or Process shall be found irrelevant, or be otherwise dismissed, or the Pursuer or Pursuers shall not prosecute the Action or Process, or suffer the same to fall asleep; or if the Judgment shall be given against the Pursuer or Pursuers, the Defender or Defenders shall have Treble Cofts, and shall have such Remedy for recovering the same as any Defender or Defenders hath or have for Cofts in any other cases of Law in *Scotland*.

Treble Cofts.

Libel in Court of Session.

Treble Cofts.

Act altered, &c.

X. And be it further enacted, That this Act may be varied, altered or repealed by any Act to be passed in this present Session of Parliament.

### C A P. LXIX.

An Act for raising the Sum of Twenty seven Millions by way of Annuities. [22d June 1813.]

## C A P. LXX.

An Act to authorize the Sellers of Glafs, Hides, Tobacco and Snuff, to charge the additional Duties on any such Articles ordered before but not delivered until after the Fifth Day of July One thousand eight hundred and twelve.

[22d June 1813.]

‘ W H E R E A S by an Act made in the Fifty second Year of the  
 ‘ Reign of His present Majesty, intituled *An Act for granting* <sup>52 G. 3. c. 94.</sup>  
 ‘ *to His Majesty additional Duties of Excise in Great Britain on Glafs,* <sup>§ 5.</sup>  
 ‘ *Hides, and Tobacco and Snuff,* reciting that Contracts or Agree-  
 ‘ ments might have been made before the passing of that Act by  
 ‘ Makers or Manufacturers of or Dealers in the respective Goods,  
 ‘ Wares, Merchandize or Commodities, upon which additional  
 ‘ Duties were by that Act imposed for such Goods, Wares, Mer-  
 ‘ chandize or Commodities respectively to be delivered after the  
 ‘ Fifth Day of July One thousand eight hundred and twelve, it  
 ‘ was enacted, that such Makers, Manufacturers or Dealers delivering  
 ‘ such Goods, Wares, Merchandize or Commodities respectively  
 ‘ after that Day, in pursuance of such Contracts or Agreements,  
 ‘ should be allowed to add so much Money as would be equivalent  
 ‘ to the Duties by that Act imposed for or in respect of such Goods,  
 ‘ Wares, Merchandize or Commodities respectively, to the Price  
 ‘ thereof, and should be entitled by virtue of that Act to be paid for  
 ‘ the same accordingly: And whereas Orders were received by many  
 ‘ such Makers, Manufacturers and Dealers respectively, for the Sale  
 ‘ and Supply of Quantities of such Goods, Wares, Merchandize and  
 ‘ Commodities respectively, many of which Quantities were not in fact  
 ‘ delivered to the Purchasers or Persons giving such Orders till after  
 ‘ the said Fifth Day of July One thousand eight hundred and twelve,  
 ‘ and others of such Quantities may not have been yet delivered; but  
 ‘ inasmuch as no Contracts or Agreements were made for the Deli-  
 ‘ very of such Quantities of Goods, Wares, Merchandize or Com-  
 ‘ modities after the said Fifth Day of July One thousand eight  
 ‘ hundred and twelve, Doubts have arisen whether the Makers,  
 ‘ Manufacturers or Dealers delivering the same are by the said Act  
 ‘ allowed to add to the Price thereof so much Money as would be  
 ‘ equivalent to the Duties by that Act imposed for or in respect  
 ‘ thereof:’ Now, to obviate and remove all such Doubts, be it  
 ‘ enacted by the King’s Most Excellent Majesty by and with the Ad-  
 ‘ vice and Consent of the Lords Spiritual and Temporal, and Com-  
 ‘ mons, in this present Parliament assembled, and by the Authority  
 ‘ of the same, That such Makers, Manufacturers or Dealers, who shall  
 ‘ have already delivered or shall hereafter deliver any such Goods,  
 ‘ Wares, Merchandize or Commodities, shall be allowed to add so  
 ‘ much Money as will be equivalent to the Duties by that Act im-  
 ‘ posed, for or in respect of such Goods, Wares, Merchandize or  
 ‘ Commodities respectively to the Price thereof, and shall be entitled by  
 ‘ virtue of the said recited Act and this Act to be paid for the same  
 ‘ accordingly, notwithstanding no Contract or Agreement that such  
 ‘ Goods should be delivered after the said Fifth Day of July One  
 ‘ thousand eight hundred and twelve shall have been made.

Duties added to  
Prices.

C A P.

## C A P. LXXI.

An Act for amending and rendering more effectual the Laws for the Trials of Controverted Elections and Returns of Members to serve in Parliament. [22d June 1813.]

‘ WHEREAS divers Acts of Parliament have been made for regulating the Trial of Controverted Elections or Returns of Members to serve in Parliament: And whereas it is expedient that further Regulations should be made for that Purpose;’ 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 of Controverted Elections, or Returns of Members to serve in Parliament for *Great Britain*, all the Parties complaining of or defending such Elections or Returns shall by themselves or their Agents deliver in to the Clerk of the House of Commons, Lists of the Voters intended to be objected to, to be by the said Clerk kept in his Office, open to the Inspection of all Parties concerned; giving in the said Lists the several Heads of Objections, and distinguishing the same against the Names of the Voters excepted to; and that such Lists shall be so delivered in upon all Controverted Elections and Returns for *Scotland*, or for any County in *England* or *Wales*, Ten Days at least before the Day appointed for the Consideration of the Petition complaining of such Election and Return; and upon all other Controverted Elections or Returns for *England* or *Wales*, Five Days at least before the Day appointed for the Consideration of such Petition: Provided always, and be it enacted, That if the Consideration of any such Petition shall be postponed by Order of the House during the same Session, or shall be renewed at the Commencement of another Session, it shall be sufficient if such Lists shall be so delivered within such Periods as are hereby directed, before the Committees for the Trial of such Petitions shall be actually appointed.

II. And be it further enacted, That no Evidence shall be adduced before the Select Committee appointed for the Trial of the Petition upon which such List shall have been delivered in, against the Validity of any Vote upon any Head of Objection to such Voter, other than One of the Heads so specified and particularized against him in such List as aforesaid; and that if any Ground of Objection shall be stated against any Voter in such Lists, and no Evidence shall be produced before such Select Committee, to substantiate such Objection, and if such Select Committee shall be of Opinion that such Objection was frivolous or vexatious, the said Committee shall report the same to the House of Commons, together with their Opinion on the other Matters relating to the said Petition; and the Party or Parties opposite shall in such case be entitled to recover from the Party or Parties by whom or on whose Behalf any such Objections were made, the full Costs and Expences incurred by reason of such frivolous or vexatious Objections; which Costs and Expences shall be ascertained and recovered in the same manner and Form as are now provided by Law for the Recovery of Costs and Expences in cases of frivolous or vexatious Petitions.

‘ III. And

Lists of Voters intended to be objected to, delivered to Clerk of House of Commons :

For Counties within Ten Days.

For all other Places, within Five Days.

Evidence confined to Objections particularized in Lists.

Costs on frivolous or vexatious Objections.

‘ III. And whereas it is expedient that Provision shall be made to ensure the more punctual Payment of all Costs, Expences and Fees which may become due to Witnesses, Officers of the House, and Parties, by reason of the Trial of Controverted Elections;’ Be it further enacted, That no Proceeding shall be had on any Petition by virtue of any Act concerning the Trial of Controverted Elections and Returns, unless the Person or Persons subscribing the same, or some one or more of them, shall within Fourteen Days after the same shall have been presented to the House, or within such further time as shall be limited by the House, personally enter into a Recognizance to our Sovereign Lord The King, according to the Form hereunto annexed, in the Sum of One thousand Pounds, with Two sufficient Sureties in the Sum of Five hundred Pounds each, for the Payment of all Costs, Expences and Fees which shall become due to any Witness summoned in Behalf of the Person or Persons so subscribing such Petition, or to any Clerk or Officer of the House upon the Trial of the said Petition, or to the Party who shall appear before the House or Committee in Opposition to such Petition, in case such Person or Persons shall fail to appear before the House at such time or times as shall be fixed by the House for taking such Petition into Consideration; or in case the said Petition shall be withdrawn by the Permission of the House; or in case such Committee shall report to the House that the said Petition appears to them to be frivolous or vexatious; and if at the Expiration of the said Fourteen Days, such Recognizance shall not have been entered into, or shall not have been received by the Speaker of the House of Commons, the Speaker shall report the same to the House, and the Order for taking such Petition into Consideration shall thereupon be discharged, unless upon Matter specially stated and verified on Oath to the Satisfaction of the House, the House shall see cause to enlarge the time for entering into such Recognizance; and whenever such time shall be of enlarged, the Order for taking such Petition into Consideration shall, if necessary, be postponed, so that no such Petition shall be taken into Consideration till after such Recognizance shall have been entered into and received by the Speaker: Provided always, that the time for entering into such Recognizance shall not be enlarged more than once, or for any Number of Days exceeding Thirty.

IV. And be it enacted, That Eight Days at least before the Person or Persons so petitioning shall enter into the said Recognizance, he or they, by themselves or their Agents, shall deliver in Writing to the Clerk of the House of Commons, the Names of the Sureties who are proposed to enter into such Recognizance; which Names shall be entered in a Book to be kept by the said Clerk, in his Office, open to the Inspection of all Parties concerned.

V. And be it further enacted, That the said Recognizance shall be entered into, and that the Sufficiency of the Sureties named therein shall be allowed and judged of in like manner and under such Regulations as are enacted by an Act passed in the Twenty eight Year of His Majesty's Reign, and intituled *An Act for the further Regulation of the Trials of Controverted Elections or Returns of Members to serve in Parliament*, with respect to the Recognizance therein directed to be entered into by Persons presenting Petitions complaining of undue Elections or Returns

Recognizance by  
Petitioners.

Payments to  
Witnesses,  
Clerks and  
Parties opposite.

Recognizance  
enlarged.

Names of Sure-  
ties delivered to  
Clerk of House  
of Commons.

Recognizance  
entered into as  
by 28 G. 3. c. 52.  
§ 6.

Persons entering into Recognizance under recited Act may enter into Recognizance under this Act.

VI. Provided always, and be it further enacted, That it shall and may be lawful for the same Persons, if sufficient, to become Sureties in the Recognizance herein directed, and in the Recognizance directed by the said recited Act, and that the Names of the Sureties who are proposed to enter into the said last mentioned Recognizance shall be in like manner delivered to the Clerk of the House of Commons, and entered by him as is hereinbefore directed with respect to the Sureties in the said first mentioned Recognizance.

Speaker may direct Expences of Witnesses or Fees to be taxed;

VII. And be it further enacted, That in all cases where any Question shall arise, as to the Amount of the reasonable Costs, Expences or Fees, which shall be due and payable to any Witness, or to any Clerk or Officer of the House of Commons, upon the Trial of any such Petition, the Speaker of the said House shall, on Application, direct the same to be taxed by such Persons and in like manner as by the said recited Act is directed for the taxing of Costs and Expences in all cases where Petitions or the Opposition to such Petitions have been declared to be frivolous or vexatious; and the Persons so authorized and directed to tax such Costs, Expences and Fees, shall and they are hereby required to examine the same, and to report the Amount thereof to the Speaker, who shall, on Application, deliver to the Person or Persons concerned, a Certificate, signed by himself, expressing the Amount of the Fees, Costs and Expences allowed in such Report; and the Persons so appointed to tax such Costs, Expences and Fees, are hereby authorized to demand and receive for such Taxation and Report, such Fees as shall be from time to time fixed by any Resolution of the House; and the said Certificates, so signed by the Speaker, shall be conclusive Evidence of the Amount of such Demands; and the Witness, Officer or Party claiming under the same shall, upon Payment thereof, give a Receipt at the Foot of such Certificate, which shall be a sufficient Discharge for the same.

to certify Amount.

28 G. 3. c. 54. § 8. When Petition allowed to be withdrawn.

‘ VIII. And whereas it is enacted by the said recited Act, that the House shall not permit any Petition complaining of an undue Election or Return to be withdrawn, except in the cases therein mentioned;’ Be it further enacted, That it shall and may be lawful for the House to permit any such Petition, on any Petition presented in pursuance of the said recited Act, to be withdrawn upon Matter which shall have arisen since the same was presented, and which shall be specially stated and verified on Oath to the Satisfaction of the House.

Petitioners not appearing,

IX. And be it further enacted, That in all cases where the Petitioner or Petitioners shall fail to appear before the House by himself or themselves, or by his or their Counsel or Agents, at the time fixed for the Appointment of the Select Committee, the House not having permitted such Petition to be withdrawn, and the Order for the Consideration of such Petition shall be thereupon discharged in pursuance of the said recited Act of the Twenty eighth Year of His Majesty's Reign, the Party or Parties who shall attend the House in Opposition to such Petition shall in like manner be entitled to recover from such Petitioner or Petitioners the full Costs and Expences which they shall have incurred by reason of such Petition.

Costs.

Costs taxed as between Attorney and Client.

X. And be it further enacted, That in all cases the Persons so authorized and directed (in pursuance of this Act, or of the said recited Act) by the Speaker of the House of Commons, to tax such Costs

and Expences, shall allow all reasonable Cofts as between Attorney and Client.

XI. And be it enacted, That such of the Persons so authorized and directed by the Speaker of the House of Commons, in pursuance of the said recited Act or this Act, to tax such Cofts, Expences or Fees, and also any Master of the High Court of Chancery, or any of His Majesty's Justices of the Peace shall be, and they and each of them are hereby authorized and empowered to take any Affidavit relative to such Cofts, Expences or Fees, or the Taxation or Non-payment thereof, and to administer the Oath for taking such Affidavit; and also that each of the Persons who shall be authorized to examine the Sufficiency of Sureties to be named in the Recognizances mentioned in the said Act or this Act (besides the Persons therein mentioned), shall have Power and Authority to take any Affidavit relative to such Sureties, or to the entering into any Recognizance, and to administer the Oath for taking such Affidavit; and that all and every Person or Persons convicted of wilfully false swearing in any such Affidavit or Affidavits, shall be deemed guilty of, and suffer the Penalties on Persons convicted of wilful and corrupt Perjury.

Persons appointed to tax Cofts, &c. empowered to take Affidavits.

Perjury

XII. And be it enacted, That if the Petitioner or Petitioners who shall have entered into such Recognizance as afore-said shall neglect or refuse, for the Space of Seven Days after Demand, to pay to any Witness who shall have been summoned on his or their Behalf before the House, or such Select Committee, on the Trial of the said Petition, the Sum so certified as afore-said by the Speaker to be due to such Witness, together with the further Sum of Forty Shillings *per Diem* for every Day during which such Petitioner or Petitioners shall delay to satisfy the same; or if such Petitioner or Petitioners shall neglect or refuse, for the Space of Six Months after Demand, to pay to any Officer of the House, or to any Party who shall appear in Opposition to their said Petition, the Sum so certified by the Speaker in pursuance of this Act, or of the said recited Act of the Twenty eighth Year of His Majesty's Reign, to be due to such Officer or Party for their Fees, Cofts or Expences, and that such Neglect or Refusal shall be proved to the Speaker's Satisfaction by Affidavit sworn before any Master of the High Court of Chancery, and such Master is hereby authorized to administer such Oath, and is authorized and required to certify such Affidavit under his Hand; in every such case such Person or Persons shall be held to have made Default in his or their said Recognizance; and the Speaker of the House of Commons shall thereupon certify such Recognizance into the Court of Exchequer, and shall also certify that such Person or Persons have made Default therein, and such Certificate shall be conclusive Evidence of such Default, and the Recognizance being so certified shall have the same Effect as if the same were estreated from a Court of Law: Provided always, that such Recognizance and Certificate shall in every such case be delivered by the Clerk, Deputy Clerk or One of the Clerks Assistant of the House of Commons, into the Hands of the Lord Chief Baron of the Exchequer, or of One of the Barons of the Exchequer, or of such Officer as shall be appointed by the said Court to receive the same.

Petitioner neglecting to pay Witnesses, &c. Recognizance estreated.

28 G. 3. c. 52. § 23.

Proviso for Recognizances, &c.

XIII. And be it further enacted, That in any Action which shall be commenced for the Recovery of any Cofts, Expences or Fees which

Speaker's Certificate to have Effect of War-

Warrant of Attorney to confess Judgment.

which shall have been certified by the Speaker, in pursuance of this Act or the said recited Act, to be due and payable, such Certificate so signed as aforesaid by him, shall have the Force and Effect of a Warrant of Attorney to confess Judgment; and the Court in which such Action shall be commenced shall upon Motion, and on the Production of such Certificate, enter up Judgment for the Sum specified in such Certificate to be due from the Defendant or Defendants in such Action, in like manner as if the said Defendant or Defendants had signed a Warrant to confess Judgment in the said Action to that Amount.

Regulations respecting Recognizances not to apply to Petitions regarding only Right of Election.

XIV. Provided always, and be it further enacted, That the several Rules and Regulations hereinbefore enacted, by which certain Persons are directed to enter into Recognizances, and by which certain Persons are made liable to the Payment of Costs to the opposite Parties, in the particular manner and in the several cases hereinbefore specified, shall not be construed to apply to the case of any Petition presented in pursuance of the said recited Act of the Twenty eighth Year of His Majesty's Reign, and relating solely to any Question or Questions respecting the Right of Election, or of choosing, nominating or appointing a Returning Officer or Officers.

28 G. 3. c. 54.  
§ 26.

§ 28.

Petitions opposing Right to be presented within Six Months.

XV. And whereas, by the said Act passed in the Twenty eighth Year of the Reign of His present Majesty, it is provided, that any Person or Persons may, within Twelve Calendar Months, present a Petition to the House, opposing any such Determination respecting the Right of Election, or the Right of choosing, nominating or appointing such Returning Officer or Returning Officers, or within Fourteen Days after the Commencement of the next Session of Parliament after that in which such Determination shall have been reported to the House; and that Forty Days shall intervene between the Day of presenting such Petition to the House and the Day appointed for taking the same into Consideration; and the allowing of so much time for the Purpose aforesaid has been found to be inconvenient and unnecessary; Be it enacted, That whenever any such Report with respect to such Rights, any or either of them, shall be made to the House, it shall and may be lawful for any Person or Persons, within Six Months next after the Day on which such Report shall have been made to the House, or in case such Six Months shall end between the time when the present or any future Parliament shall be dissolved or shall expire, and the Day on which the next Parliament shall meet; or in case such Six Months shall expire during any Recess, either by the Prorogation of Parliament, or by the Adjournment of the House of Commons for Fourteen Days intervening between the Day of Adjournment and the Day to which the House shall be so adjourned, then within Fourteen Days next after the First Day of the next Parliament, or of the next Session of the same Parliament, or of the next Meeting of the House of Commons, as the case may be, to petition the House to be admitted as a Party or Parties to oppose those Rights, any or either of them, which shall have been deemed valid in the Judgment of such Select Committee; and that such Petition when presented shall be ordered by the House to lay on the Table till such Six Months, or such Fourteen Days as aforesaid, shall be expired; and that within Twenty one Sitting Days after the Expiration of such Six Months or Fourteen Days, a Day and Hour shall be appointed by the House for taking the same into Consideration,



sideration, so that the Space of Fourteen Days at the least shall always intervene between the Day on which such Order shall be made and the Day appointed by the House for taking the same into Consideration; and such Day and Hour may from time to time be altered, as to the House shall seem fit; and Notices of such Day and Hour, and of such Alteration thereof, shall be sent to the several Persons who have petitioned the House respecting such Rights, in like manner as is done in other cases; any thing in the said last mentioned Act to the contrary notwithstanding.

‘ XVI. And whereas it is not fit that any Member having served on a Select Committee, who shall have reported to the House their Determination with respect to the Right of Election, or the Right of choosing, nominating or appointing any Returning Officer or Returning Officers, under and by virtue of the said recited Act, should also serve on a Select Committee to be appointed to try the Merits of a Petition opposing such Determination;’ Be it enacted, That if upon the Appointment of any such last mentioned Select Committee, the Name of any Member shall be drawn who served on such former Committee, and was present at the time of such Determination, his Name shall be set aside.

28 G. 3. c. 52.  
§ 25.  
Member having served Committee which reported the Right, not to serve Committee on Petition opposing that Right.

‘ XVII. And whereas by the said recited Act, certain Notices and Reports are ordered to be given and inserted in the next *London Gazette*, which Direction cannot in many cases be complied with;’ Be it enacted, That in all cases where any such Notice or Proceeding is directed to be published in the next *London Gazette*, it shall be sufficient if the same is published in One of the Two next *London Gazettes*; any thing in the said Act to the contrary notwithstanding.

28 G. 3. c. 52.  
§ 25. 28.

Notices given in one of Two next London Gazettes.

XVIII. And, for avoiding and preventing all Doubts respecting the Appointment of any Select Committee, under and by virtue of any Act concerning the Trial of Controverted Elections and Returns, by reason of any of the Members of the said Committee not being duly qualified to serve upon such Committee, be it enacted, That every Select Committee which shall be appointed under and by virtue of the said Acts or any of them, shall be deemed and taken to have been and to be legally appointed, from and after the time of any such Select Committee having been sworn at the Table in the usual manner.

Select Committee sworn at Table, taken to have been legally appointed.

‘ XIX. And whereas Doubts have arisen as to the Authority of such Select Committees to examine as a Witness any Person who may have subscribed the Petition, to try and determine which such Committee shall have been appointed;’ Be it hereby declared and enacted, That it is and shall be lawful for any such Select Committee, duly constituted for the Trial of Controverted Elections or Returns, to examine any Person, although he shall have subscribed such Petition; except it shall otherwise appear to such Committee that such Person shall be an interested Witness.

Committees may examine Persons subscribing Petition.

‘ XX. And whereas by an Act passed in the Eleventh Year of His present Majesty, and intituled *An Act to explain and amend an Act made in the last Session of Parliament, intituled An Act to regulate the Trials of Controverted Elections, and of Returns of Members to serve in Parliament*, it is, among other things, enacted, that in the cases therein provided, the Thirteen Members whose Names shall be returned by the Parties to the House, shall by themselves choose Two Members then present in the House to be added to the said

Nominees, where excused, 11 G. 3. c. 42. § 6.

' Thirteen Members; ' Be it enacted, That either of the Members so chosen shall or may be set aside for any of the same Causes as those chosen by Lot.

FORM of RECOGNIZANCE referred to in this Act.

Form of Recognizance.

' BE it remembered, That on the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_ before me *A. B.* (Speaker of the House of Commons) or, One of His Majesty's Justices of the Peace for the County of \_\_\_\_\_ ( came *C. D. E. F.* and *J. G.* and severally acknowledged themselves to owe to our Sovereign Lord the King the following Sums; that is to say, the said *C. D.* the Sum of One thousand Pounds, and the said *E. F.* and the said *J. G.* the Sum of Five hundred Pounds each, to be levied on their respective Goods and Chattels, Lands and Tenements, to the Use of our said Sovereign Lord the King, his Heirs and Successors, in case the said *C. D.* shall fail in performing the Condition hereunto annexed. The Condition of this Recognizance is, that if the said *C. D.* shall well and truly pay all Costs and Expences and Fees which shall be due and payable from the said Petitioner to any Witnesses who shall be summoned to give Evidence in his Behalf, or to any Clerk or Officer of the House of Commons, upon the Trial of the Petition signed by the said *C. D.* complaining of an undue Election or Return for the [ *here state the County, City, Borough, or District of Burghs* ] or complaining that no Return has been made for the said \_\_\_\_\_ within the time limited by Act of Parliament, or that the Return made for the said \_\_\_\_\_ is not a Return of a Member or Members according to the Requisition of the Writ: And if the said Petitioner shall also well and truly pay the Costs and Expences of the Party who shall appear before the House in Opposition to the said Petition, in case the said Petitioner shall fail to appear before the House at such time or times as shall be fixed by the House for taking such Petition into Consideration; or, in case the said *C. D.* shall withdraw his said Petition by the Permission of the House; or, in case the Select Committee appointed by the House to try the Matter of the said Petition, shall report to the House that the said Petition appears to them to be frivolous or vexatious, then this Recognizance to be void, otherwise to be of full Force and Effect.'

C A P. LXXII.

An Act for the more effectual Administration of the Office of a Justice of the Peace within the Townships of *Manchester* and *Salford*, in the Hundred of *Salford*, in the County Palatine of *Lancaster*; and to provide, by Means of a Rate on the said Townships and otherwise, a competent Salary to a Justice of the Peace acting within the said Townships; and to enable the Constables of *Manchester* and *Salford* to take Recognizances in certain Cases. [22d June 1813.]

' WHEREAS from the Magnitude and Importance of the Business of a Justice of the Peace within the Townships of *Manchester* and *Salford*, in the Hundred of *Salford*, in the County Palatine

Palatine of *Lancaster*, and the other Townships composing the Division of *Manchester*, owing to the very extensive Population thereof, and the prevailing and increasing Influence of its Trade and Manufactures, the Office of a Justice of the Peace within the said Division hath become and is likely to continue very Burthensome and difficult, so that a sufficient Number of those who are in the Commission of the Peace for the said County, resident in or near to the said Division, are not found to act in the Execution thereof with that Promptness and Effect which the good Government of the Inhabitants of the said Division, and the Protection and Security of their Persons and Properties require; and it is therefore expedient that the Justice of the Peace hereinafter mentioned, acting in that Division, should receive some competent Remuneration for his Trouble, in order that a vigilant, steady and regular Administration of the Laws for the Maintenance of the Peace and good Order throughout the Division aforesaid, may be provided for and secured: 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 His Majesty, his Heirs, and Successors, in Right of His Duchy and County Palatine of *Lancaster*, forthwith and from time to time as Occasion may require, by and with the Advice of his Chancellor and Council of the said Duchy for the time being, to appoint one fit and able Person, who shall be a Barrister at Law of Four Years standing at the least, being a Justice of the Peace for the said County, to execute the Office of a Justice of the Peace within the said Division, either by himself or together with such other Justices of the Peace for the said County Palatine as may think proper to attend, and to be therefore entitled to such Salary and Remuneration as is hereinafter in that behalf provided for.

His Majesty to appoint a Barrister to assist as a Justice.

II. And be it further enacted, That the said Justice so to be appointed as aforesaid shall reside within One Mile of the Exchange in the Town of *Manchester*, or of the New Bailey Court House in the said Town of *Salford*, and shall daily (*Sundays* excepted) attend at the New Bailey Court House in *Salford*: Provided always, that the Attendance of the said Justice may be supplied by any other Justice of the Peace for the said County Palatine of *Lancaster*.

Justice to attend at New Bailey Court House in Salford.

III. And be it further enacted, That it shall and may be lawful for any Person named and authorized by such Appointment as aforesaid, to act in the Execution of the said Office of Justice of the Peace for the said County, during his Residence within the Limits aforesaid, although such Person may not be possessed of or entitled in Law or Equity to an Estate or Interest in Lands, Tenements or Hereditaments, in *England* or *Wales*, of the clear yearly Value of One hundred Pounds; any thing contained in any Act or Acts of Parliament to the contrary notwithstanding; provided that such Person be not disqualified by Law to act as a Justice of the Peace, for any other Cause or upon any other account than in respect of the want of such an Estate or Interest as is aforesaid.

Want of Estate or Interest, not to incapacitate Justice.

IV. And be it further enacted, That it shall and may be lawful for the Justices assembled at the General Quarter Session of the Peace held by Adjournment within the said Hundred, or at any Adjournment thereof, and they are hereby required and authorized, from time

Quarter Sessions to direct Payment of 1,000l. a Year to Justice.

32 G. 3. c. 69.

to time, so long as the said Justice shall continue to discharge the Duties of the said Office, by Writing under the Hands of any Two or more of them (whereof the said Justice so to be appointed as aforesaid is not to be one), to direct the Commissioners acting in the Execution of an Act of Parliament made and passed in the Thirty second Year of His present Majesty, intituled *An Act for cleansing, lighting, watching and regulating the Streets, Lanes, Passages and Places within the Towns of Manchester and Salford, in the County Palatine of Lancaster; for widening and rendering more commodious several of the said Streets, Lanes and Passages; and for other Purposes therein mentioned*; to pay, and the said Commissioners shall thereupon pay to the said Justice the Sum of One thousand Pounds in each Year, by Four equal Quarterly Payments, to be appointed by the said Justices assembled at the said Quarter Sessions of the Peace, or at any Adjournment thereof; and so, *pro rata*, a Proportion of such Quarterly Payments up to the time of the Death of such Justice, or his ceasing to act under such Appointment as aforesaid; and such Payments shall be assessed, raised and levied, in such and the like manner as any Rate directed to be raised by the said hereinbefore recited Act, and with such and the like Powers, Authorities and Remedies for collecting the same as are mentioned and contained in the said hereinbefore recited Act.

Rate for Payment of Salary.

V. And be it further enacted, for the better providing and securing the Payment of the said Salary, That it shall and may be lawful for the General Commissioners appointed under and by virtue of the said hereinbefore recited Act, or any Nine or more of them assembled as in the said Act is mentioned, and they are hereby authorized and required to assess, raise and levy, in like manner and Form as any Rate is directed to be assessed, raised and levied under the said hereinbefore recited Act, such Sum and Sums of Money annually as shall be adequate to the Payment of the said Salary; provided that the Sum to be raised under the Authority of this Act shall not in any One Year exceed the Sum of Three pence in the Pound upon the rateable Property specified in the said recited Act; and provided also, that the Sums to be raised under the said Acts respectively shall be applied to the specific Purposes of such Acts, and that distinct and separate Accounts shall be kept of the Monies assessed, raised and levied under the same respectively.

Rate apportioned.

VI. And be it further enacted, That the said Towns of *Manchester* and *Salford* shall respectively contribute to the Payment of the Salary aforesaid, in the Proportions following; that is to say, the Town of *Manchester* shall contribute Seven Eighth Parts thereof, and the Town of *Salford* shall contribute One Eighth Part thereof.

Recognizances estreated applied in Aid of Rate.

VII. And be it further enacted, That it shall and may be lawful for the Chancellor and Council of the Duchy of *Lancaster* for the time being, and they are hereby required from time to time to make Orders upon the Receiver General of the said Duchy, to pay over the Amount of Monies (not exceeding the Sum of One thousand Pounds in any One Year) which shall or may be hereafter levied or received to His Majesty's Use, upon or by reason of Recognizances taken and estreated in the said County Palatine of *Lancaster*, to the Treasurer of the Commissioners under the said recited Act, for the said Township of *Manchester*, to be applied in Aid of the Rate to be made in each of the said Townships under this Act, for or towards the Payment

Payment of the said Salary of the said Justice appointed as aforesaid; any thing in an Act made in the First Year of Her late Majesty Queen Anne, intituled *An Act for the better Support of Her Majesty's Household, and of the Honour and Dignity of the Crown*, or any other Law or Statute to the contrary notwithstanding: Provided always, that nothing herein contained shall controul or abridge the Power of the said Chancellor and Council to relieve and mitigate estreated Recognizances and Levies made therein in certain cases of Hardship and Distress, as they are used to do.

1 Ann. Stat. 1. c. 7.

VIII. Provided always, and be it further enacted and declared, That no Justice of the Peace to be appointed as aforesaid by virtue of this Act, shall, during their Continuance in such Appointment, be capable of being elected or of sitting as Members of the House of Commons.

Justice not to sit in House of Commons.

IX. And be it further enacted, That, for the better Administration of the Police within the said Division of *Manchester*, it shall and may be lawful for the Constables appointed for the said Townships respectively, or any One of them, or their respective Deputy Constables, on having an Appointment in Writing from their respective Principal Constables for that Purpose, to take Recognizances without any Fee or Reward, from all or any Persons or Person who shall be brought before them or any of them, in the Night time, on any Charge not amounting to Felony, for the Appearance of such Persons or Person before such Justice so to be appointed as aforesaid, or any other Justice of the Peace for the said County Palatine, within the Space of Two Days then next, for further Examination; and that such Recognizances so to be taken as aforesaid shall be of equal Obligation to the Parties entering into the same, and liable to the same Proceedings for the estreating thereof, as if the same had been taken before any of His Majesty's Justices of the Peace.

Constables to take Recognizances.

Estreating Recognizances.

X. And be it further enacted, That the Expences incident to the soliciting, obtaining and passing this Act, shall be levied and raised in manner and Form hereinbefore directed for the raising of the Salary of the said Justice so to be appointed as aforesaid.

Expences of Act.

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

Public Act.

C A P. LXXIII.

An Act to declare that the Duties of Excise and Drawbacks, granted and made payable in *Ireland* on Tobacco by an Act of this Session, are payable according to the Amount thereof in *British* Currency. [2d July 1813.]

WHEREAS by an Act made in the present Session of Parliament, intituled *An Act to grant to His Majesty certain Duties of Excise in Ireland on Tobacco*, certain Duties and Drawbacks of Excise on Tobacco were granted and made payable in *Ireland*, and Doubts have arisen whether the same are to be paid according to the Amount thereof in *British* or *Irish* Currency; 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

53 G. 3. c. 57.

Duties and Drawbacks under recited Act payable in British Currency.

and by the Authority of the same, That the several Duties and Drawbacks of Excise, and the several Countervailing Duties, in the said Act mentioned, are and shall be paid and payable according to the Amount thereof in *British* Currency.

C A P. LXXIV.

An Act to provide for the better Collection of the Duty on Malt made in *Ireland*. [2d July 1813.]

‘**W**HEREAS it is expedient to make further Regulations and to amend the Laws for the Collection of the Malt Duties in *Ireland*, and regulating the Trade of a Maltster; 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 Twenty ninth Day of *September* One thousand eight hundred and thirteen, an Act made in the Forty sixth Year of His present Majesty’s Reign, intituled *An Act to amend an Act made in the last Session of Parliament for the Collection of the Malt Duties in Ireland, and regulating the Trade of a Maltster*, shall be and the same is hereby repealed, except so far as may concern the prosecuting, suing for or recovering, levying or collecting any Duties due by any Maltster or Maker of Malt, or any Arrears of any such Duties, or any Fine, Penalty or Forfeiture which shall or may have been incurred under the said recited Act, on or before the said Twenty ninth Day of *September*.

46 G. 3. c. 57.  
repealed.

How Maltsters  
charged.

II. And be it further enacted, That, from and after the said Twenty ninth Day of *September* One thousand eight hundred and thirteen, in lieu and instead of the Monthly and Yearly Charges on Maltsters and Makers of Malt in *Ireland*, under any Act or Acts in force, every such Maltster or Maker of Malt shall be charged according to the Proportions hereinafter mentioned and expressed; that is to say, every Maltster or Maker of Malt in *Ireland* shall, between the Twenty ninth Day of *September* in every Year and the Twenty ninth Day of *September* following, during the Continuance of the Licence of such Maltster or Maker of Malt, be charged with and pay Duty of Excise for a Quantity of Malt, after the Rate of Eighty Barrels of Malt for every One hundred Feet Square of working or drying Floor or Floors which shall be contained in each Malthouse in which such Maltster or Maker of Malt shall be licensed to make Malt, and so in Proportion for any greater Number of Square Feet; and also for as much more Malt as such Maltster or Maker of Malt shall actually make within the said Period.

Manner of  
charging Yearly  
Duty.

III. And be it further enacted, That the Charge of such Yearly Duty of Eighty Barrels shall be made in manner following; that is to say, every such Maltster or Maker of Malt shall be charged for not less than Eight Calendar Months in every Year, and for every such Calendar Month such Maltster or Maker of Malt shall be charged with and pay Duty for Ten Barrels of Malt for every One hundred Feet Square of such working or drying Floor or Floors, and so in Proportion for any greater Number of Square Feet; and every Maltster or Maker of Malt shall, over and above the respective Quantities aforesaid, be also charged with and pay Duty for as much more Malt as could be produced from any Corn or Grain actually  
wetted

wetted by such Maltster or Maker of Malt within every such Period of One Calendar Month, after the Rates and under the Regulations expressed, mentioned and contained in an Act made in the Forty fifth Year of His present Majesty's Reign, intituled *An Act for the Collection of the Malt Duties in Ireland, and regulating the Trade of a Maltster.*

45 G. 3. c. 53.  
§ 23, 24.

IV. And be it further enacted, That in case the Quantity of Malt charged upon any Maltster or Maker of Malt in any one Year, ending on the Twenty ninth Day of *September*, shall not amount to the full Quantity of Malt after the Rate aforesaid, for which such Maltster or Maker of Malt is hereby made chargeable with Duty within any Year, the Surveyor or Gauger or other Officer in Charge of the Malthouse of any such Maltster or Maker of Malt shall, within Twenty Days after such Twenty ninth Day of *September*, make a Return to the Collector of the District in which such Malthouse shall be situate, of such Quantity of Malt, and of the Duties thereon, as with the Quantities comprized in former Returns of Malt, against such Maltster or Maker of Malt, in the Year ending on such Twenty ninth Day of *September*, shall amount to the full Quantity of Malt for which such Maltster or Maker of Malt is so made chargeable with Duty after the Rate aforesaid; and such Return shall be a Charge on such Maltster or Maker of Malt, and shall be payable by such Maltster or Maker of Malt in manner directed by the said recited Act of the Forty fifth Year aforesaid.

In case Quantity of Malt charged on Maltster in any Year shall not amount to full Quantity chargeable, Surveyor may make Return to Collector of District, which shall be charged on Maltster.

V. And be it further enacted, That every such Charge by this Act directed to be made against any Maltster or Maker of Malt, and the Duty in respect thereof, shall be made and returned by the Officer; and the said Duty shall be paid by the Maltster or Maker of Malt in such manner and under and subject to such Rules, Regulations, Penalties and Forfeitures, and Modes of Recovery thereof, as are contained in the said recited Act of the Forty fifth Year aforesaid, or in any other Act or Acts in force in *Ireland* relating to the Collection of the Malt Duties, so far as the same are consistent and compatible with each other, save and except such Rules and Regulations as are expressly altered by this Act; and that all such Rules, Regulations, Penalties and Forfeitures, and Modes of Recovery thereof, so far as the same are consistent and compatible with each other (and except as aforesaid), shall be applied in the charging, levying, collecting and recovering all such Duties, as fully and effectually to all Intents and Purposes as if the said Rules, Regulations, Penalties and Forfeitures were repeated and re-enacted in this Act.

45 G. 3. c. 53.  
§ 23, 24.

Charges made against Maltsters and Duties paid by them, subject to Regulations of former Acts.

VI. Provided always, and be it further enacted, That it shall and may be lawful for the Commissioners of Inland Excise and Taxes in *Ireland*, or any Three of them, to reduce or abate the Quantity of Malt for which any Maltster or Maker of Malt is under this Act chargeable with Duty during the Continuance of his Licence in any Year, on such Occasions and under such Regulations and Restrictions as the Commissioners of Excise, or any Number of them, are empowered to reduce or abate any Charge under the said recited Act of the Forty fifth Year aforesaid; any yearly or other Charge or Matter in this Act contained to the contrary notwithstanding.

Commissioners of Excise may reduce Quantity of Malt for which Maltsters chargeable.

VII. And be it further enacted, That in lieu and instead of the Proportion which the Content of the Kiln Floor of any Malthouse under and by virtue of any Act or Acts in force, on or immediately before

Content and Proportion of Kiln Floors of Malthouses before

before the said Twenty ninth Day of *September*, is required to bear to the Content of the growing, working and drying Floor or Floors of such Malthouse, the Content of such Kiln Floor or Floors shall and may be in the Proportion of Four hundred and five Square Feet to Two thousand six hundred Square Feet of such working, growing and drying Floor or Floors; any thing in any Act or Acts to the contrary notwithstanding: Provided always, that if the Content of such Kiln Floor or Floors of any Maltster or Maker of Malt shall exceed the Proportions in this Act mentioned and contained, such Maltster or Maker of Malt shall forfeit the Sum of One hundred Pounds, and a further Sum of Ten Pounds for every Day during which the Content of such Kiln Floor or Floors shall exceed the Proportions aforesaid.

Exceeding such Proportions. Penalty.

Wetting Corn Notice, at a certain time.

Penalty.

Penalty.

No Licence granted to Brewers, unless in their Bond be contained a Condition not to use raw or unmalted Corn; 47 G. 3. sess. 1. c. 35. nor unless Parties requiring Licence shall sign Affidavit in Form prescribed.

Form of Affidavit.

VIII. And be it further enacted, That if any Corn or Grain making into Malt, of the wetting of which any such Notice or renewed Notice as is by Law required to be given shall not have been given, or which shall have been begun to be wetted at any other time than between the Hours of Nine in the Morning and Four in the Afternoon, shall be found in any Malthouse, or on any Floor or other Place belonging to any Maltster or Maker of Malt, all such Corn or Grain shall be forfeited, and may be seized by any Officer of Excise; and the Maltster or Maker of Malt in whose Malthouse the same shall be found, shall forfeit the Sum of Fifty Pounds.

IX. And, for the further preventing the Use of raw or unmalted Corn by Brewers in *Ireland*, be it enacted, That, from and after the passing of this Act, no Licence shall be granted to any Person in *Ireland* to brew Strong Beer, Porter or Ale, or Small Beer for Sale, unless in the Bond required to be entered into by such Brewer under and by virtue of an Act made in the Forty seventh Year of His present Majesty's Reign, intituled *An Act to secure the Payment of the Duties on Licences granted to Persons in Ireland dealing in Excisable Commodities*, there be inserted a Condition that such Brewer shall not use any raw or unmalted Corn in brewing any Strong Beer, Porter, Ale or Small Beer as was required by the said recited Act of the Forty seventh Year aforesaid; any thing in any other Act or Acts of Parliament to the contrary notwithstanding; and that no such Licence shall be granted to any Person in *Ireland*, unless and until all and every the Person or Persons to whom or on whose Behalf such Licence shall be granted; and every Partner and Person concerned in the Brewery for which such Licence shall be granted, shall make and sign an Affidavit, or being a Quaker or Quakers, shall solemnly affirm in the Presence of the Collector of Excise of the District, who is hereby authorized and required to administer such Affidavit or Affirmation in the Form or to the Effect following; that is to say,

‘ I *A. B.* on whose Behalf and for whose Use (together with *C. D.* &c. if there are Two or more Partners) a Licence is required to brew Strong Beer, Porter or Ale, [or, Small Beer, as the case may be] for Sale at \_\_\_\_\_ in the County of \_\_\_\_\_

do hereby solemnly swear [or, affirm], That I will not directly or indirectly cause or permit or suffer, or be party or privy to the causing, permitting or suffering any raw Corn or Corn not malted, and not having been charged with the Duty on Malt made in *Ireland*, to be used in the brewing or making of any Beer, Ale or Porter, or Small Beer, or in the making or preparing



paring of any Liquor to imitate or to resemble, or to be mixed with, or to be used, sold or disposed of, or delivered, as or for Beer, Ale, Porter or Small Beer; and that I will not sell, dispose of, send or deliver, or cause to be sold, disposed of, sent or delivered to any Person or Persons whatsoever, as or for Beer, Porter, Ale or Small Beer, any Liquor made or prepared from raw Corn or Corn not malted, and not having been charged with the Duty on Malt made in *Ireland*, or in the making whereof any such raw Corn or Corn not malted shall have been any way used; and that I will not cause or permit or suffer, or be party or privy to the causing, permitting or suffering any raw or unmalted Corn, ground or bruised, to be brought into or kept in the Brewery or Premises at the said Place; and I do hereby also solemnly swear [*or, affirm*] that no other Person or Persons is or are concerned or engaged in the said Brewery as Partners with me, (except the said *G. D. &c. as the case may be*).

' So help me GOD.'

And if any such Licence shall be granted to any Person or Persons who shall not have made such Oath or Affirmation, or if any Person or Persons, other than the Person or Persons who shall have made such Oath or Affirmation respectively, shall be concerned or engaged as a Partner or Partners in the Brewery for which such Licence shall be granted, such Licence shall be and become forfeited, and shall be null and void.

Licence not available to Persons not having taken the Oath.

X. And be it further enacted, That it shall not be lawful for any Brewer to have in his or her Brewery, or in any Part of the Premises connected with his or her Brewery, any raw or unmalted Corn or Grain, ground or bruised, mixed or unmixed, with any malted Corn or Grain; and that all raw or unmalted Corn or Grain, ground or bruised, mixed or unmixed with any malted Corn or Grain, and all malted Corn or Grain with which such raw or unmalted Corn or Grain ground or bruised shall be mixed, which shall be found in such Brewery or Premises, together with all Sacks, Vessels or Packages in which such raw Corn or Grain, ground or bruised, mixed or unmixed with any malted Corn or Grain shall be contained, and all Carts, Drays and other Carriages on which such raw or unmalted Corn or Grain, mixed or unmixed with any malted Corn or Grain belonging to such Brewer, ground or bruised, shall be found in the Course of Conveyance; and all Horses or other Beasts of Burthen attached to every such Cart, Dray or other Carriage, shall be forfeited, and may be respectively seized by any Officer or Officers of Excise.

Brewers shall not have any raw or unmalted Corn on their Premises.

Penalty.

XI. And be it further enacted, That if in the Brewery of any Brewer or other Person or Persons in *Ireland* making or brewing, or professing to make or brew Ale, Strong Beer, Porter or Small Beer, or in any Part of such Brewery, or in any Part of the Premises connected with such Brewery, there shall be found any raw or unmalted Corn, ground or bruised, mixed or unmixed with any malted Corn or Grain, every such Brewer or other Person shall, for the First Offence, forfeit the Sum of Two hundred Pounds, and for the Second and every subsequent Offence the Sum of Five hundred Pounds; One Half of the said Forfeiture to be paid to the Informer, and upon Conviction for the Third Offence therein, the Licence of such Person or Persons, or Brewer or Brewers, shall be null and void.

Brewers having such raw or unmalted Corn.

First Offence.  
Second Offence.  
Third Offence.

XII. And

Perjury.

XII. And be it further enacted, That if any Person who shall take any Oath or make any Affirmation by this Act required to be taken or made, shall wilfully or knowingly swear or affirm falsely therein; every such Person being duly convicted thereof shall suffer the Pains and Penalties to which Persons guilty of wilful or corrupt Perjury are or shall be subject by any Law in force in *Ireland*; and if any Person shall corruptly procure or suborn any other Person or Persons to swear or affirm falsely in any such Oath or Affirmation, every such Person being duly convicted of such procuring or suborning, shall, for every such Offence, incur and suffer such Penalties, Forfeitures, Pains and Disabilities, as Persons convicted of Subornation of Perjury are respectively liable unto by any Law in force in *Ireland*.

Recovery and Application of Penalties.

XIII. And be it further enacted, That all Penalties and Forfeitures under this Act shall be paid and payable in *British* Currency, and shall be raised, levied, collected and paid, sued for, recovered and applied (except in cases where it is otherwise directed in this Act), in the same manner and under such Powers and Authorities, and by such ways and methods, and according to such Rules and Directions, and under such Penalties and Forfeitures as are appointed, directed and expressed for levying, suing for or recovering of any Penalties or Forfeitures, in and by an Act made in *Ireland* in the Fourteenth and Fifteenth Years of His late Majesty King *George* the Second, intituled *An Act for the settling of the Excise or new Imposition upon His Majesty, his Heirs and Successors, according to the Book of Rates therein inserted*; or in and by an Act made in the Forty sixth Year of His present Majesty's Reign, intituled *An Act to provide for the better Execution of the several Acts relating to the Revenues, Matters and Things under the Management of the Commissioners of Customs and Port Duties, and of the Commissioners of Inland Excise and Taxes in Ireland*; or in and by any other Act or Acts in force in *Ireland* relating to the Revenue of Customs and Excise, or either of them, as fully and effectually to all Intents and Purposes as if the same were herein expressed and enacted, with the like remedy of Appeal to and for the Party or Parties aggrieved, as in and by the said recited Act made in the Fourteenth and Fifteenth Years of His late Majesty King *Charles* the Second, or any other Act or Acts as aforesaid is provided.

14 & 15 Car. 2.  
(1.) Sess. 4. c. 8.46 G. 3. c. 106.  
&c.

Appeal.

## C A P. LXXV.

An Act for the better Regulation of the Cotton Trade in *Ireland*.  
[2d July 1813.]

‘ **W**HEREAS it is desirable that a cheap and summary Mode should be adopted for settling all Disputes which may arise between Masters and Weavers in the Cotton Manufacture, or between such Weavers and Persons employed by them, or between Masters and Persons engaged in ornamenting Cotton Goods by the Needle, in that Part of the United Kingdom of *Great Britain* and *Ireland*, called *Ireland*:’ 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

the passing of this Act, in all cases of Dispute between Masters and Weavers in the Cotton Manufacture in *Ireland*, respecting Work done, or in the Course of being done in the said Manufacture, whether the subject of Dispute shall relate to bad Materials, or to any Injury or Damage done or alleged to have been done to the Work, or any Delay or supposed Delay in finishing the Work, or the not finishing the Work in a good and Workmanlike manner, or the Length, Breadth or Quality of any Pieces of Cotton Goods, either mixed or unmixed with other Materials, or the Yarn thereof, or the Quantity or Quality of the Wool thereof, or the Compensation for working any new Pattern requiring the Purchase of new, or the alteration of old Implements of Manufacture, or any other matter connected with the Cotton Manufacture in *Ireland*, it shall and may be lawful for any Justice of the Peace of the County, Barony, City, Liberty, Town or Place, in which the Dispute shall arise, and he is hereby authorized and required, on Complaint made before him, and Proof by the Examination of the Party complaining, that Application has been made to the Person or Persons against whom such Cause of Complaint has arisen, or his, her or their Agent or Agents, to settle such Dispute, and that the same has not been settled upon such Application being made; or where the Dispute shall relate to a bad Warp, that such Cause of Complaint has not been done away within Twenty four Hours after such Application, to summon before him the Person or Persons complained against, or his, her or their Agent or Agents, on some Day not exceeding Six Days, exclusive of *Sunday*, from the making such Complaint, and to give Notice to the Party complaining of the time and Place appointed in such Summons for the Attendance of the Person or Persons complained against, or his, her or their Agent or Agents as aforesaid; and if at such time and Place the Person or Persons so summoned shall not appear by himself, herself or themselves, or some Person or Persons on his, her or their Behalf, and do away such Cause of Complaint, then and in such case it shall be lawful for such Justice, and he is hereby authorized and required, at the Request of either of the Parties, to nominate Referees for the settling the Matters in Dispute; to which End such Justice shall then and there propose, on the Part and Behalf of the Master, one Referee, who shall be a Master Manufacturer, or Agent or Foreman of some Master Manufacturer resident in the Neighbourhood; but where no such Master Manufacturer, Agent or Foreman can be found, then some Workman resident as aforesaid, and having a competent Knowledge of the Manufacture; and the said Justice shall likewise then and there propose, on the Part and Behalf of the Weaver, another Referee, who shall be some Workman resident in the Neighbourhood, and having a competent Knowledge of the Manufacture; and it shall be lawful for either of the Parties in Dispute peremptorily, and without assigning any Reason, to challenge any Referee so proposed; and the Justice shall in such case immediately propose another Person, of the like Description as aforesaid, in lieu of the Person challenged; which Person so proposed as last mentioned, may also be peremptorily challenged, and so *toties quoties*, until each of the Parties shall have had Two peremptory Challenges, without assigning any Cause; after which the Justice shall immediately propose Two other Persons of the like Description as aforesaid to be Referees; and the Persons

Disputes between  
Masters and  
Weavers settled  
by Referees ap-  
pointed by  
Justice of Peace.

so

so proposed as aforesaid, and not challenged, or the Persons proposed in the Event of all the Challenges hereby allowed having been made, shall be nominated Referees to settle such Dispute; and the Justice shall thereupon appoint a Place of Meeting, according to the Directions of this Act, and also a Day for the Meeting, Notice of which Nomination, and of the Time and Place of Meeting shall thereupon be given to the Persons so nominated Referees, and to any Party to the Dispute who may not have attended the Meeting before such Justice as aforesaid; and the Justice shall certify the Nomination and Appointment in the Form for that Purpose set forth in the Schedule to this Act, or in some other Form to the like Effect.

Limitation of Complaint.

II. Provided always, and be it further enacted, That all Complaints by any Weaver, as to bad Materials, shall be made within Four Weeks after his receiving the same; and that all other Complaints shall be made within Three Days after the Cause of Complaint shall arise; and that it shall not be allowable to any Master, who shall have received into his Possession any Cotton Cloth, without Objection made by himself or his Clerk or Foreman, afterwards to make any Complaint on account of Work so received.

Party not attending to lose Benefit of Act; and if complained of, his Right of Challenge.

III. Provided also, and be it enacted, That if any Party so complaining as aforesaid, shall not attend or send some Person on his or her Behalf, at the time and Place appointed by the Justice of the Peace, for the Purpose of naming Referees as aforesaid, such Party shall not in that case be entitled to the Benefit of this Act; and if any Party, against whom Complaint shall have been made, shall not attend, or send some Person on his or her Behalf at the time and Place last aforesaid, the Justice of the Peace shall nevertheless proceed to nominate Referees, and such Party shall in that case be deprived of all Right of Challenge under this Act.

Places of Meeting of Referees.

IV. Provided also, and be it enacted, That in all cases where Complaints shall be made respecting bad Warps or Utensils by Weavers, the Place of Meeting of the Referees shall be at or as near as may be to the Place where the Work shall be carrying on; and in all other cases at or as near as may be to the Place or Places where the Work shall have been given out.

Referees shall determine within Three Days, or refer to a Justice who shall determine within Two Days afterwards.

V. And be it further enacted, That the Referees so to be nominated as aforesaid, shall meet at the time and Place fixed by the Justice of the Peace for that Purpose, and shall by Inspection of the Work in regard to which the Dispute may have arisen, by hearing and examining the Parties, or any Person or Persons on their or either of their Behalf respecting the Matters in Dispute, or by otherwise ascertaining the true State of the case, proceed to determine the Matter or Matters in Dispute referred to them; and the Award to be made by such Referees shall be final and conclusive between the Parties, without being subject to Review or Appeal by or before any Court whatsoever; but in case such Referees shall not agree upon and decide such Matter or Matters in Dispute as aforesaid, or shall not make and sign their Award within Three Days after the Date of the Justice's Order, then the said Referees shall without Delay go before the Justice by whom they were appointed, and in case of his Absence or Indisposition, before any other of His Majesty's Justices of the Peace in Ireland most convenient to be found, and shall state to such Justice the Point or Points in Difference between them the said Referees; which Point or Points in Difference the said Justice shall and

he is hereby authorized and required to hear and determine, upon the Statement of the Referees; and the said Justice is hereby directed and required to settle and determine the Matter or Matters in Dispute with all possible Dispatch, and in all cases, within the Space of Two Days after the Application made to him for that Purpose, and the Determination of such Justice shall be final and conclusive between the Parties in Dispute, without being subject to Review or Appeal by or before any Court whatsoever.

VI. Provided always, and be it enacted, That if either of the Referees shall refuse or delay to go before the Justice, such Justice is hereby empowered and required to determine the Matter or Matters in Dispute upon the Statement and Representation of the other Referee.

Justice may determine upon Statement of One Referee.

VII. Provided always, and be it enacted, That in case either or both of the Referees so to be nominated as aforesaid shall refuse or delay to accept such Reference, or to act therein, the Justice by whom they were appointed, and in case of his Absence or Indisposition, some other of His Majesty's Justices of the Peace in *Ireland* most convenient to be found, shall proceed to name another Person or Two other Persons of the Descriptions aforesaid, to be Referee or Referees in the Place of such Referee or Referees so refusing or delaying; and the Parties in Dispute shall respectively have the same Power of challenge in the case of a Second Nomination as is given by this Act in the case of a First Nomination, except so far as the Power may have been exercised upon such First Nomination; and in every case of a Second Nomination, the Referees shall meet within Twenty four Hours after the Application for the same, and at the same Place at which the Meeting of the Referees first named was appointed; and the Expence of every such Application for a Second Appointment of a Referee shall be borne and defrayed by the Party through whose Default or the Default of whose Referee such Application shall be rendered necessary; and the Justice making such Second Appointment shall certify the same in the Form for that Purpose set forth in the Schedule to this Act, or in some other Form to the like Effect.

Justice on Refusal of Referees to act, may name others.

VIII. And be it further enacted, That in every case after Second Nomination of a Referee or Referees, if both the Referees shall not attend at the time and Place appointed for settling the Matter or Matters in Dispute, it shall be lawful for the Referee attending at such time and Place, to proceed by himself to the hearing and determining of the same; and the Award of such sole Referee thereupon shall be final and conclusive, without being subject to Review or Appeal by or before any Court whatsoever.

Where Second Referee does not attend the other Referee may determine.

IX. Provided always, and be it enacted, That if the Parties in Dispute, shall think it expedient to extend the time hereby limited for the making of the Award, it shall and may be lawful for them to extend the same accordingly by Indorsement (according to the Form in the Schedule hereunto annexed) on the Order of the Justice of the Peace, to be signed by both of them in the Presence of One or more credible Witness or Witnesses; any thing hereinbefore contained to the contrary notwithstanding.

Justices may extend Period limited for Award.

X. And be it further enacted, That it shall and may be lawful to and for any such Justice of the Peace as aforesaid, and he is hereby authorized and required, on the Application of either of the Parties

Justices to summon Witnesses.

in

in Dispute, to summon any Witness or Witnesses to appear before him, to be sworn to give Evidence before the Referees or Referee or Justice (as the case may be), who are or is to settle the Matter or Matters in Dispute; and any such Justice as aforesaid is hereby authorized and required to administer to any such Witness or Witnesses an Oath in the Form set forth in the Schedule to this Act; and if any such Witness or Witnesses shall neglect or refuse to attend before such Justice as aforesaid to be sworn, or before the said Referees or Referee or Justice as aforesaid, who are or is to settle the Matter or Matters in Dispute, at any time and Place fixed for that Purpose under the Provisions of this Act, it shall and may be lawful for any such Justice as aforesaid, upon Proof on Oath being made before him of the Service of such Summons, either personally or by leaving the same at the last or usual Place of Abode of the Person summoned, and also upon the like Proof of the Neglect or Refusal of such Person to attend as aforesaid in pursuance of such Summons, unless a reasonable Excuse be made for such Non-attendance to the Satisfaction of such Justice, to issue his Warrant under his Hand, for the apprehending and bringing such Person before him; and if any Person so being brought before such Justice as aforesaid, shall still refuse to attend to be sworn and be examined, or give his or their Testimony before the Referees or Referee or Justice who are or is to settle the Matter or Matters in Dispute touching the same, such Person so refusing shall be by such Justice as aforesaid committed to the House of Correction within his or their Jurisdiction, there to remain without Bail or Mainprize, until he, she or they shall submit to be sworn, and to be examined and give Evidence before the Referees or Referee or Justice (as the case may be) touching the Premises.

Perjury.

XI. And be it further enacted, That all Persons who in any Examination to be taken upon Oath by virtue of this Act, shall wilfully and corruptly give false Evidence or otherwise forswear themselves before any such Referees or Referee or Justice as aforesaid, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject and liable to such and the same Pains and Penalties as Persons guilty of Perjury are by the Laws now in being in *Ireland* subject and liable to.

Arbitrators may proceed in Absence of Parties.

XII. And be it further enacted, That if either of the Parties in Dispute shall neglect or refuse to attend the Referees or Referee, they or he may notwithstanding proceed to make their or his Award, in the same manner as if the Party so refusing or neglecting had attended.

Award written on Justice's Order.

XIII. Provided also, and be it enacted, That the Award to be made upon any Reference under this Act, shall be drawn up and written at the Foot or upon the Back of the Justice's Order, certifying the Appointment of the Referees according to the Form in the Schedule hereunto annexed, or in some other Form to the like Effect; any Law, Usage or Custom to the contrary notwithstanding.

Acknowledgment of fulfilling an Award.

XIV. And be it further enacted, That upon Fulfilment of any Award under this Act, the same shall be acknowledged by the Party in whose Behalf such Award shall have been made, by an Acknowledgment at the Foot thereof, in the Form of the Schedule hereunto annexed, or in some other Form to the like Effect, which, with the Award, shall thereupon be delivered to the Party fulfilling the same.

XV. And

XV. And be it further enacted, That if any Party shall refuse or delay to fulfil an Award under this Act, for the Space or Term of Two Days after the same shall have been reduced into Writing, it shall be lawful for any such Justice as aforesaid, on the Application of the Party aggrieved, and he is hereby required, by Warrant under his Hand, according to the Form of the Schedule hereunto annexed, or in some other Form to the like Effect, to cause the Sum and Sums of Money directed to be paid by any such Award to be levied by Distress and Sale of any Goods and Chattels of the Person or Persons liable to pay the same, together with all Costs and Charges attending such Distress and Sale, such Sale to take place within such time, not exceeding Five Days, as the said Justice shall think proper, and the Overplus, if any, to arise by such Sale, to be rendered to the Owners of the Goods and Chattels distrained; and in case it shall appear by any Return to such Warrant that no sufficient Distress can be readily had, which Return may be in the Form contained in the Schedule hereunto annexed, or in some other Form to the like Effect, it shall be lawful for any such Justice as aforesaid, and he is hereby required, by Warrant under his Hand, according to the Form of the Schedule hereunto annexed, or in some other Form to the like Effect, to commit the Person or Persons so liable as aforesaid to the Common Gaol or some House of Correction, within his or their Jurisdiction, there to remain without Bail for any time not exceeding Three Months, nor less than Two Months.

Obedience to Award enforced.

Imprisonment.

XVI. And be it further enacted, That all Costs, Time and Expences attending the Applications to Justices to be made under this Act (except in the Instance hereinbefore specially provided for), and of the Reference pursuant to any such Application, shall be settled by the Referees or Referee by whom such Dispute shall be settled; and where the same shall be determined by any Justice of the Peace upon the Statement of the Referees or Referee, in the manner herein directed, then by such Justice; and where the Referees appointed as aforesaid cannot agree as to the Costs, Time and Expences to be allowed, the same shall be settled by the Justice of the Peace by whom the said Referees or Referee were or was named, or, if the case shall require it, by any other Justice or Justices of the Peace for the same or some adjoining County, Barony, City, Liberty, Town or Place; and the Sum and Sums of Money so settled to be paid shall be specified in the Award, and be recoverable, together with the other Sum and Sums of Money directed to be paid by the Award, in manner hereinbefore provided for.

Costs ascertained by Referees or Justice.

XVII. And be it further enacted, That the following and no higher Fees shall be allowed to be taken for any Proceedings under this Act; (*videlicet*),

Fees on Proceedings.

To the Clerk of the Justice :	£	s.	d.
For each Summons	-	-	6
For every Oath or Affirmation	-	-	6
For drawing and entering the Order	-	-	6
For every Award made by the Justice	-	1	-
For every Warrant	-	1	-

To the Constable or other Peace Officer :		£	s.	d.
For Service of Summons or Order	-	-	-	6
For executing Warrant of Distress and Sale of Goods	-	-	1	6
For Custody of Goods distrained	-	-	-	4
	<i>per Diem</i>	-	-	4
For every Mile he shall travel	-	-	-	4
For every Return of Warrant of Distress unexecuted	-	-	-	6
For every Caption	-	-	1	6

Rules for ascertaining the Measure by which Weaver paid.

XVIII. And be it further enacted, That with respect to all the different Fabrics of Muffin, the Length of the Web for which the Weaver is to be paid, shall be ascertained by the Standard Ell of Forty five Inches, and the Breadth thereof by the Standard Yard of Thirty six Inches; and with respect to Calicoes and other Cotton Goods usually classed therewith, the Length and Breadth thereof shall be ascertained by the Standard Yard of Thirty six Inches; and with respect to Fustians and other Cotton Goods usually classed therewith, the Payment to the Weaver shall be ascertained by the Standard Yard of Thirty six Inches, or by the Pound, or by the Spangle, according to the mode of ascertaining the same usually practised in and about the Place where the Question shall arise.

Tickets of Particulars given out with Warps.

XIX. And be it further enacted, That with every Warp given out by a Manufacturer to a Weaver to be wove in *Ireland* there shall be delivered a Ticket, denoting the Quantity, Fineness, Length and Breadth of the Warp, and the particular Fabric and Denomination of the Work to be performed, which Ticket shall be signed by the Manufacturer or Person employed by him to give out Work, and the same shall, in the Event of Dispute between the Master and Weaver, be Evidence of all Matters and Things mentioned and contained therein, unless the Result of the Work shall shew that such Ticket contained an incorrect Representation; and it is hereby expressly enacted and declared, that the Question of correct Representation in any such Ticket shall be as much Matter of Reference within the Provisions of this Act, as any other Matter of Dispute hereinbefore enumerated; and that the Weaver shall in all cases be paid according to the actual Length and Breadth of the Warp.

Agents, Servants or Partners, liable as Principals.

XX. Provided always, and be it further enacted, That in all cases where Work shall have been delivered to any Weaver by the Agent or Servant of any Master or Masters, or by One or more of the Partners in any Business of Cotton Manufacture in *Ireland*, and it shall be objected by the Party complained against that the Complaint ought to have been made against some other or additional Person or Persons, it shall be lawful for the Party complaining to make the Complaint against any such Agent, Servant or Partner; and the Proceedings directed by this Act shall and may be had against any such Agent, Servant or Partner, and shall be as effectual to charge the Principals or all the Partners (as the case may be), and to subject them to the Provisions of this Act in all respects as if the Proceedings had been had against such Principals, or against all such Partners.

Proceedings in cases of Bankruptcy, &c. of Master.

XXI. Provided also, and be it further enacted, That in all cases where any such Master or Masters shall as aforesaid be or become Bankrupt, or any Assignment of his, her or their Estate or Effects shall be or shall have been made under the said Bankruptcy or otherwise, by Deed or in Law, the Assignee or Assignees, Trustee or



or Trustees of such Estate or Effects, shall be liable to the Proceedings authorized by this Act against the Master or Masters, as fully as the Master or Masters was or were before the Bankruptcy or Assignment; and such Proceedings may be commenced and prosecuted, or if commenced against such Master or Masters be afterwards carried on against such Assignee or Assignees, Trustee or Trustees; and such Assignee or Assignees, Trustee or Trustees shall fulfil and abide by the Award made thereupon, and shall be subject to the Provisions of this Act, in all respects, as if the Award had been made against the Master or Masters before his or their Bankruptcy, or the Assignment of his or their Estate or Effects; provided that all Sums of Money to be paid in pursuance of such Proceedings and Award, shall be recoverable only out of the Estate or Effects of such Master or Masters, and not out of the proper Money of such Assignee or Assignees, Trustee or Trustees.

XXII. And be it further enacted, That where any Married Woman, or Infant under the Age of Twenty one Years, shall have Cause of Complaint in any of the cases provided for by this Act, such Complaint may be made, and all further Proceedings thereupon had, by and in the Name of the Husband of such Married Woman, and of the Father, or if dead, of the Mother, or if on the Death of both Parents, of any of the Kindred of any such Infant, or of the Surety or Sureties in any Indenture of Apprenticeship of any such Infant being an Apprentice, or for want of such by and in the Name of any other Person whatsoever; and such Proceedings shall be as effectual and as valid and binding as if such Married Woman was Sole, and such Infants were of full Age, and pursued by themselves the Remedies prescribed by this Act.

Complaints made by Married Women or Children settled.

XXIII. And be it further enacted, That in all cases of Dispute that may arise in *Ireland* between Weavers and Persons employed by them, or between Masters and Persons engaged in ornamenting Cotton Goods with the Needle, every such Dispute shall and may be settled in the same manner, and under the same Regulations, Directions and Provisions in all respects, so far as the same are applicable, *mutatis mutandis*, as are hereinbefore directed with respect to Disputes between Masters and Weavers; except that in Disputes between Weavers and Persons employed by them, it shall not be necessary to name a Manufacturer, or the Agent or Foreman of a Manufacturer, as one of the Referees.

Disputes between Weavers and Persons employed by them, and between Masters and Servants ornamenting Cotton, how referred.

XXIV. Provided always, and be it enacted, That every Award, Ticket, Matter or Thing written or done under and by virtue of this Act, shall and may be drawn up, written and signed upon unstamped Paper; any Law, Custom or Usage to the contrary thereof in any wise notwithstanding.

Awards on unstamped Paper.

XXV. Provided also, and be it enacted, That no Justice of the Peace, being also a Master Cotton Weaver, shall act as a Justice under this Act; any thing herein contained, or any former Statute, Law, Usage or Custom to the contrary thereof in any wise notwithstanding.

Master not to act as Justice.

XXVI. Provided also, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to give to any Justice of the Peace Power or Authority to regulate or prescribe the Rate of Wages for Work.

Rate of Wages, *Proviso* for.

XXVII. Provided also, and be it enacted, That no Proceeding under this Act shall be deemed invalid by reason of any want of Form only.

Want of Form.

How far repeal  
of former Irish  
Acts.

3 G. 2. c. 14.  
17 G. 2. c. 8.  
31 G. 2. c. 10.  
19 & 20 G. 3.  
c. 19.  
23 & 24 G. 3.  
c. 7.  
36 G. 3. c. 45.

**XXVIII.** Provided also, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to repeal, abridge, annul or make void, any of the Clauses, Provisions, Remedies or Powers contained in the several Acts made and passed in Ireland, in the Third, Seventeenth and Thirty first Years of the Reign of His late Majesty King *George the Second*, and in the Nineteenth and Twentieth, Twenty third and Twenty fourth, and Thirty sixth Years of the Reign of His present Majesty, or in any of them, or in any other Act or Acts heretofore made, which are applicable to the said Trade, or the Powers of Justices of the Peace, as connected therewith; so far as the same enact, provide or inflict any Pains, Penalties or Punishments upon or against Workmen; and so far as the same enact, provide or afford any Remedy or Remedies to the Masters against the Workmen engaged in the said Trade or Manufacture (save and except where Referees have been appointed in the manner and for the Purposes directed by this Act); any thing in this Act contained to the contrary thereof in any wise notwithstanding.

Public Act.

**XXIX.** And be it further enacted, That this Act shall be taken and allowed to be a Public Act, in all Courts within that Part of the United Kingdom called *Ireland*, and all Judges and Justices of the Peace are hereby required to take Notice thereof as such, without specially pleading the same.

#### The SCHEDULE to which this Act refers.

*FORM of Justices Order, certifying Nomination of Referees, and Appointment of Time and Place of Meeting.*

I *A. B.* One of the Justices of Peace acting for  
do hereby certify, that *C. D.* and *E. F.* are by me duly nominated Referees, to settle the Matters in Difference between *G. H.* of Master Manufacturer or Weaver [*as the case may be*], and *I. K.* of Weaver, or a Person employed by a Weaver, or a Person employed in ornamenting Cotton Goods by the Needle [*as the case may be*] pursuant to an Act passed in the Fifty third Year of the Reign of His present Majesty; and that the said Referees are hereby directed to meet at  
on the  
Day of at of the Clock  
in the Forenoon, or Afternoon [*as the case may be*].

*FORM of Justices Order, certifying Second Nomination of Referees.*

I *A. B.* One of the Justices of Peace acting for  
do hereby certify, that the above named *C. D.* and *E. F.* [*or, one of them, as the case may be*] having refused or delayed to act in the above mentioned Reference, *L. M.* and *N. O.* [*or, L. M. only, as the case may be*] are [*or, is*] by me, duly nominated Referees [*or, Referee*], together with the above named *C. D.* [*or, E. F.*] to settle the Matters in Difference between the above named *G. H.* and *I. K.* and the said *C. D.* or *E. F.* together with the said *L. M.* [*or, the said L. M. or N. O. as the case may be*] are directed to meet at the Place above mentioned, on the  
Day of at of the Clock  
in the Forenoon, or Afternoon [*as the case may be*].

*FORM*

*FORM of Indorsement extending the Time limited for making the Award.*

**WE**, *A. B.* and *C. D.* Parties to the within Reference, do hereby agree to extend the same to the \_\_\_\_\_ Day of \_\_\_\_\_ inclusive. Witness our Hands, this \_\_\_\_\_ Day of \_\_\_\_\_  
 Witnesses, *A. B.*  
*C. D.*

*FORM of the Oath to be administered to Witnesses under this Act.*

**THE** Evidence that you shall give respecting the Matters in Disference between *A. B.* and *C. D.* under or by virtue of an Act passed in the Fifty third Year of the Reign of His present Majesty, intituled *An Act* [state the Title of this Act] shall be the Truth, the whole Truth, and nothing but the Truth. So help you GOD.

*FORM of the Award to be written at the Foot or upon the Back of the Order of the Justice of Peace, certifying the Reference.*

**WE**, [name and describe the Referees] the Referees appointed to settle the Matter in Dispute between the Parties above or within named [or, \_\_\_\_\_ one of the Referees so appointed, \_\_\_\_\_ the other Referee appointed, having failed to attend, or, *I N. O.* the Justice, as the case may be] do hereby adjudge and determine that [here set forth the Determination; to which the Referees or Referee or Justice, as the case may be, shall subscribe their Names.] As Witness our Hands [or, my Hand] this \_\_\_\_\_ Day of \_\_\_\_\_

*FORM of Acknowledgement of Fulfilment of the Award, to be written at the Foot thereof.*

**I** *A. B.* do hereby acknowledge, That the above Award has been fulfilled by *C. D.* who is hereby discharged of the same. Witness my Hand this \_\_\_\_\_ Day of \_\_\_\_\_  
 Witnesses, *A. B.*

*FORM of Warrant of Distress.*

To the Constable of \_\_\_\_\_

**WHEREAS** \_\_\_\_\_ of \_\_\_\_\_ under \_\_\_\_\_ an Award made by \_\_\_\_\_ on the \_\_\_\_\_ Day of \_\_\_\_\_ pursuant to an Act passed in the Fifty third Year of the Reign of His present Majesty, intituled *An Act* [state the Title of this Act] is liable to pay to \_\_\_\_\_ of \_\_\_\_\_ the Sum of \_\_\_\_\_ and also the Sum of \_\_\_\_\_ for Coits, Time and Expences, making together the Sum of \_\_\_\_\_ and the said \_\_\_\_\_ having refused or neglected to pay the same for the Space of Two Days and upwards, subsequent to the making such Award, these are therefore to command you to levy the said Sum of \_\_\_\_\_ by Distress and Sale of the Goods and Chattels of the said \_\_\_\_\_, And we do hereby order and direct the Goods and Chattels so to be distrained to be sold and disposed of within \_\_\_\_\_ Days, unless the said Sum of \_\_\_\_\_ for which such Distress shall be made,

made, together with the reasonable Charges of taking and keeping such Distress shall be sooner paid; and you are also hereby commanded to certify to me what you shall do by virtue of this my Warrant. Given under my Hand and Seal at  
the  
Day of

*FORM of the Constable's Return of the Want of Distress.*

I certify to Constable of do hereby  
Justice of the Peace of  
that I have made diligent Search for, but do not know of, nor can find any Goods and Chattels of by Distress and Sale whereof I may levy the Sum of pursuant to his Warrant for that Purpose, dated the Day of Given under my Hand this Day of

*FORM of Commitment thereupon to the House of Correction.*

(Here name the County) } To the Constable of  
and also to the Keeper of the House of Correction at

WHEREAS under an Award made by on the Day of pursuant to an Act passed in the Fifty third Year of the Reign of His present Majesty, intituled *An Act* [state the Title of this Act] became liable to pay to the Sum of and also the Sum of for Cofts, Time and Expences, making together the Sum of and having refused or neglected to pay the same for the Space of Two Days and upwards, subsequent to the making such Award, my Warrant was, according to the Provisions of the said Act, duly made and issued for the levying the said Sum of by Distress and Sale of the Goods and Chattels of the said ; and whereas it appears by the Return of Constable of dated the Day of that he hath made diligent Search for, but doth not know of, nor can find any Goods and Chattels of the said by Distress and Sale whereof the said Sum of may be levied pursuant to my said Warrant, These are therefore to command you the said Constable of to apprehend the said and convey him to the said House of Correction at aforefaid, and deliver him there to the Keeper of the said House of Correction; and these are also to command you the Keeper of the said House of Correction, to receive him the said into the said House of Correction, and there keep him without Bail or Mainprize for the Space of Months, unless the said Sum of so ordered to be paid as aforefaid, shall be sooner satisfied, with all reasonable Expences. Given under my Hand and Seal, at the Day of

## C A P. LXXVI.

An Act to extend the Provisions of an Act, passed in the Forty ninth Year of His present Majesty, for amending the *Irish* Road Acts, so far as the same relate to the Appointment of Supervisors on Mail Coach Roads, to all Roads made and repaired by Presentment. [2d July 1813.]

WHEREAS it has been found expedient to empower Grand Juries to appoint Supervisors without Salary, for the better Preservation and keeping constantly in repair Mail Coach Roads; And whereas it would tend to Economy and Improvement if the same were or might be appointed on all Roads made and repaired by Presentment; 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 for the Grand Juries of any County, County of a City or County of a Town, in *Ireland*, at any Assizes to nominate and appoint such and so many Persons, possessed of a Freehold or Leasehold Estate of not less than Five hundred Pounds yearly Value, to be Supervisors of any Road whatsoever in said County, County of a City or Town, which shall be made or repaired by Presentment, with such Powers and Authorities, and subject to such Regulations and Conditions, as are given and prescribed to and for Supervisors of Mail Coach Roads under and by virtue of an Act, passed in the Forty ninth Year of the Reign of His present Majesty, intituled *An Act for amending the Irish Road Acts.* 49 G. 3. c. 84.

Grand Juries  
may appoint and  
nominate Super-  
visors of Roads.

## C A P. LXXVII.

An Act to amend an Act passed in *Ireland* in the Nineteenth and Twentieth Years of His present Majesty, for empowering Grand Juries to present Bridges, and Tolls to be paid for passing the same, in certain Cases. [2d July 1813.]

WHEREAS an Act was made in the Parliament of *Ireland*, holden in the Nineteenth and Twentieth Years of His present Majesty's Reign, intituled *An Act for empowering Grand Juries to present Bridges, and Tolls to be paid for passing the same, in certain Cases*, and Doubts have been entertained whether Lifting or Portcullis Bridges are within the Intent and Meaning of the said Act; and whether if such Lifting or Portcullis Bridges could by Law be built or erected and maintained pursuant to the Provisions of the said recited Act, the Persons undertaking or erecting any such Bridge or Bridges, their Heirs, Executors, Administrators or Assigns, can by Law be compelled to keep the Navigation of any River whereon such Bridge or Bridges should be erected free and uninterrupted for ever, and to keep as well the Lifting Parts or Portcullises of such Bridge or Bridges, as the Whole of such Bridge or Bridges, in good and sufficient Order, Repair and Condition, with proper Attendants thereon, at their own proper Costs, so as to permit Ships, Boats and Vessels at all times to pass there through, and not to suffer such Bridge or Bridges, Port-

Provisions of recited Act extended to Portcullis Bridges.

• cullis or Lifting Bridge, or any Part of the same respectively, by  
 • Neglect to run into Ruin and Decay, and thereby to impede or  
 • stop up the Passage of such Bridge or Bridges, or the Navigation  
 • of any such Bridge, or by means thereof to compel the Public to  
 • consent that the Lifting or Portcullis of such Bridge or Bridges  
 • may be removed, and the Space over which the same might be  
 • erected or made, filled up or become solid; 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 recited Act, and all the Provisions therein contained,  
 shall extend and be deemed and construed to extend to all and every  
 Bridge or Bridges having any Portcullis or Lifting Parts as have  
 heretofore been built or proposed to be built, or shall hereafter be  
 built or proposed to be built under the Provisions of the said recited  
 Act; and that all Persons building or proposing to build any such  
 Bridge or Bridges having any Portcullis or Lifting Part, shall and  
 may avail themselves of all Powers and Benefits to arise by or from  
 the same Act, and shall be subject to all Clauses and Conditions of  
 the said Act, as fully and effectually as if the Term and Description  
 of Portcullis or Lifting Bridge or Bridges, or Bridge or Bridges  
 having any Portcullis or Lifting Parts, had been expressly named  
 and inserted in the said Act.

All Proposals for erecting Bridges made in Writing as a Contract between Proposer and Treasurer of County, and Bond given for Performance.

II. And, for the better securing the perpetual free and uninterrupted Navigation of any and every River whereon any Bridge or Bridges whatever shall or may be built, and especially where it is the Intention that such Navigation shall not be interrupted, and the better to carry into Effect the general Purposes of the said recited Act, be it further enacted, That every Proposal for building any Bridge or Bridges whatever, made or to be made under the said recited Act and this Act, by any Person or Persons to any Grand Jury or Grand Juries of any County, County of a City or Town, and received by them according to the said Act, shall be reduced to Writing in the Nature of a Contract between the Person or Persons making such Proposal, on the one Part, and the Treasurer of any such County, County of a City or County of a Town for the time being, his Successor and Successors, for and on Behalf of the Public, on the other Part; and such Contract shall be signed by the Person or Persons making such Proposal, and shall be binding and conclusive upon such Person or Persons, his, her or their Executors, Administrators or Assigns; and that such Contractor or Contractors shall at the same time, together with Two sufficient Sureties to be approved of by such Grand Jury, execute unto such Treasurer and his Successors a Bond or Obligation, with Warrant of Attorney for confessing Judgment thereon, in a Penal Sum or Sums not less than Double the Amount of the Estimate of such Bridge, as approved by the Grand Jury, conditioned for Performance of the Covenants and Conditions of such Contract or Contracts; which said Bond and Warrant shall and may from time to time, and at all times be put in force by such Treasurer for the time being, to compel the Execution of such Contract, and as is usual in cases of Breach of Contract; and it shall and may also be lawful for such Treasurer for the time being, and he is hereby required to proceed by Indictment for a Nuisance at Common Law against any such Contractor or Contractors, his or their

Treasurer may proceed by Indictment in case of Bridge being out of Repair.

their Heirs, Executors, Administrators or Assigns, in case any such Bridge or Bridges, whether having a Portcullis or Lifting Part, or otherwise, shall be neglected and shall be out of Repair, and shall not be kept up and regularly maintained and attended to by such Contractor or Contractors, his or their Heirs, Executors, Administrators or Assigns, according to the Term of such Proposal and Contract as aforesaid; or in case the Navigation of the River, over which such Bridge, if the same shall have any Portcullis or Lifting Part shall be erected, shall be obstructed or injured in consequence of such Bridge being out of Repair as aforesaid; and if Judgment shall be given against any Defendant or Defendants in any Suit, or upon any Indictment to be commenced or preferred in pursuance of this Act, then the Property of such Bridge or Bridges, whether Portcullis or Lifting Bridges, or otherwise, and all the Passages and Appurtenances thereto belonging, and all Benefit of the same, shall immediately thereupon vest in such Treasurer for the time being, and his Successors, for the Use of the Public, and shall thenceforward become and be considered a Public Bridge, and the King's Public and Common Highway, and shall be repaired and kept in proper Order as a Public Bridge and Common Highway; and all Tolls imposed for the passing such Bridge, under or by virtue of the said recited Act, shall forthwith cease and be no longer paid and payable.

III. And be it further enacted, That in case the Treasurer of any County, County of a City or County of a Town, being thereto required by any Two Inhabitants of such County, County of a City or County of a Town, who shall have served as Grand Jurymen at the Assizes immediately preceding, shall refuse or neglect to proceed against such Contractor or Contractors, according to the Provisions of this Act, such Treasurer shall forfeit the Sum of One hundred Pounds, to be recovered by Action of Debt in any of His Majesty's Courts of Record in *Dublin*, by any Person who shall sue for the same.

Treasurer neglecting to prosecute - Contractors for Neglect, &c.

Penalty.

IV. Provided always, and be it enacted, That when any Bridge or Bridges, having any Portcullis or Lifting Part, shall be erected under the Provisions of the said Act and this Act, over any River, no Ship or Vessel passing through the opening of such Bridge (where such Portcullis or Lifting Part shall be) shall be subject or liable to pay any Tax or Toll for such Passage; and that it shall be a Condition and Part of the Contract to be entered into as aforesaid, by the Person or Persons proposing to build such Bridge, that such Contractor or Contractors, his Heirs, Executors, Administrators or Assigns, shall, at all Times and Seasons, at his and their own Costs, provide and procure the constant Attendance of Two or more proper Persons, as the Construction of such Bridge shall require, sufficient for and for the Purpose of working the Portcullis or Lifting Parts of such Bridge, so as that all Ships and Vessels may freely pass and re-pass through the opening of such Bridge, where such Portcullis or Lifting Part shall be, without paying any Toll, and without any Expence or Hindrance whatever.

No Ship shall pay any Toll for passing through the opening of Portcullis Bridges.

V. Provided always, and be it enacted, That it shall and may be lawful for any Person or Persons to proceed at Law against the Proprietor or Proprietors of any Bridge or Bridges whatsoever, to obtain Compensation for any Damage incurred by the Neglect of such Proprietor or Proprietors; any thing in the said recited Act or this Act notwithstanding.

Persons injured may proceed at Law for Damages.

• VI. And



19 & 20 G. 3.  
(L) c. 41. § 12.

Grand Juries  
empowered to  
redeem Tolls at  
any time on  
giving Twelve  
Months Notice  
and paying for  
the same as un-  
der recited Act.

Provide.

Two Grand  
Jurymen or  
more appointed  
to examine Ac-  
counts of  
Bridges.

Powers of re-  
cited Act extend-  
ed to Act.

‘ VI. And whereas by the said recited Act Grand Juries are not empowered to redeem the Tolls on any Bridge or Bridges until after the Expiration of Forty one Years from the completing and opening any such Bridge or Bridges, and it is expedient that such Redemption should be allowed in manner hereinafter mentioned;’  
Be it therefore further enacted, That, from and after the passing of this Act, it shall and may be lawful for any Grand Jury of any County, County of a City or Town, to redeem any Tolls on any Bridge or Bridges which have been or shall be erected under the Provisions of the said recited Act or this Act, at any time whatever after the completing and opening of any such Bridge in case such Grand Jury shall see fit so to do; any thing in the said recited Act to the contrary notwithstanding: Provided always, that such Redemption shall be made only on the Payment of such Sum or Sums of Money, and in such manner as by the said recited Act is provided: Provided also, that the Treasurer for the time being of the County, County of a City or County of a Town, in which such Bridge shall be situate, shall have given Twelve Calendar Months previous Notice in Writing of the Intention of such Grand Jury to redeem such Toll; which Notice shall be signed by such Treasurer, by the Order of such Grand Jury, and shall be delivered to the Contractor or Contractors for the Building of such Bridge, his or their Executors, Administrators or Assigns, or to one or more of the Person or Persons who shall be employed in the Management and Collection of the Tolls on such Bridge: Provided also, that every such Grand Jury of every such County, County of a City or County of a Town, shall be and they are hereby authorized and empowered to raise the Sum necessary to redeem such Tolls, in such manner as in and by the said recited Act is directed and provided.

VII. And be it further enacted, That it shall and may be lawful for any Grand Jury of any County, County of a City or County of a Town, acting or proceeding in the Execution of the said recited Act or this Act, to appoint Two or more of their Number at each and every Assizes, to enquire and examine into the State of the Receipt and Expenditure of any and every such Bridge; and the said Persons so appointed are hereby authorized to make such Enquiry and Examination, and from time to time to report to the Grand Jury at the several Assizes, after their Appointment, the Result of such their Enquiry and Examination.

VIII. And be it further enacted, That the said recited Act shall stand and remain in full Force and Effect, save only so far as the same is hereby altered or amended; and that this Act and the said recited Act shall be considered as one Act, and be construed together as one Act, so far as the same are not contradictory or repugnant to each other; and that all Powers and Provisions in the said recited Act contained, shall be applied and put in Force in the Execution of this Act, as fully and effectually to all Intents and Purposes as if the same were repeated and re-enacted in this Act.



## C A P. LXXVIII.

An Act to continue for Two Years, and from thence until the End of the then next Session of Parliament, Two Acts made in the Forty seventh and Fiftieth Years of His present Majesty's Reign, for the preventing improper Persons from having Arms in *Ireland*. [2d July 1813.]

‘ WHEREAS the Acts hereinafter mentioned are near expiring, and it is expedient that the same should be continued;’ 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 Forty seventh Year of His present Majesty's Reign, intituled *An Act to prevent improper Persons from having Arms in Ireland*, as the said Act is continued and amended by an Act made in the Fiftieth Year of His present Majesty's Reign, and also the said Act of the Fiftieth Year for continuing and amending the said recited Act of the Forty seventh Year, shall be and the said Acts are hereby further continued, and shall be in force for Two Years from and after the passing of this Act, and from thence until the End of the then next Session of Parliament.

47 G. 3. sess. 2.  
c. 54.

50 G. 3. c. 109.  
further continued.

## C A P. LXXIX.

An Act for defraying the Charge of the Pay and Clothing of the Militia of *Ireland*; and for making Allowances in certain Cases to Subaltern Officers of the said Militia during Peace. [2d July 1813.]

‘ WHEREAS it is necessary that Provision should be made for defraying the Charge of the Pay and Clothing of the Militia in that Part of the United Kingdom called *Ireland*, for One Year, from the Twenty fifth Day of *March* One thousand eight hundred and thirteen;’ 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 for every County, County of a City or Town in *Ireland*, where the Militia is or shall be raised, the Lords Commissioners of His Majesty's Treasury in *Ireland* shall issue and pay out of the Consolidated Fund of *Ireland*, the whole Sums required, in the manner and for the several Uses hereinafter mentioned; that is to say, for the Pay of the said Militia, at the Rate of Six Shillings *per* Day for each Adjutant, Paymaster and Surgeon respectively, where an Adjutant, Paymaster or Surgeon is appointed; and at the Rate of Five Shillings a Day for each Quarter Master where a Quarter Master is appointed; and at the Rate of One Shilling and Six pence *per* Day for each Serjeant resident at the Head Quarters of the Regiment, Battalion or Corps, with the Addition of Two Shillings and Six pence *per* Week for each Serjeant Major and Quarter Master Serjeant, where a Serjeant Major and Quarter Master Serjeant are appointed; and at the Rate of One Shilling *per* Day for each Drummer so resident as aforesaid, with the Addition of Six pence *per* Day for each Drum Major,

Treasury to issue  
Four Months  
Pay in advance  
for each County,  
&c. where  
Militia raised.

Rates of Pay.

Allowances for  
Contingencies.

Major, where a Drum Major is appointed; and at the Rate of One Shilling *per* Day for each Fifer so resident as aforesaid; and at the Rate of One Shilling and Two pence *per* Day for each Corporal so resident as aforesaid, and also at the Rate of Four pence *per* Month for each Private Man and Drummer, for defraying the contingent Expences of each Regiment and Battalion of Militia; One Penny whereof shall be applied for defraying the Hospital Expences of each Regiment or Battalion during the time of the Men being from Home upon account of their Annual Exercise; and also for the Clothing of the Militia for such County, after the Rate of Three Pounds and Ten Shillings for each Serjeant, and Two Pounds for each Drummer, with the Addition of One Pound for each Serjeant Major and each Drum Major; and at the Rate of Two Pounds for each Corporal, when such Serjeants, Drummers, Serjeant Majors, Drum Majors and Corporals, have not been clothed within Two Years; and with respect to the Private Militia Men, at the Rate of One Pound Twelve Shillings for each Private Militia Man, when such Private Militia Men have not been clothed within Four Years: Provided always, that where any Serjeant, Corporal or Drummer, shall be absent on Furlough or Licence, such Serjeant, Corporal or Drummer, shall, during such Absence, receive the Rates of Pay following; that is to say, every Serjeant the Sum of One Shilling, every Corporal the Sum of Eight pence, and every Drummer the Sum of Six pence *per* Day respectively, and no more; and it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, to direct that any such Pay shall be from time to time issued by the said Lords Commissioners of His Majesty's Treasury in *Ireland*, for any Period not exceeding Four Months from the time when such Advances shall be made.

Clothing.

Rates of Pay  
when on Fur-  
lough.

On Certificate of  
Discharge of Ser-  
jeant, &c. no Pay  
issued for him.

Colonel to cer-  
tify to Treasury  
Days of Exercise.  
&c. who shall pay  
Sums herein  
specified.

II. Provided always, and be it enacted, That in case the Colonel, or in his Absence from the Kingdom, the Commanding Officer of any Regiment or Battalion of Militia shall certify in Writing to the Paymaster of the same, that he hath discharged any Serjeant, Corporal or Drummer, in such case no Pay shall be issued for such Serjeant, Corporal or Drummer, until another be duly appointed.

III. And be it further enacted, That whenever the Governor or Governors, or Deputy Governors, at a General Meeting to be held for any County, County of a City or Town in *Ireland*, shall have fixed the Days of Exercise for the Militia, the Colonel or Commanding Officer shall as soon as may be certify the same to the Lords Commissioners of His Majesty's Treasury in *Ireland*, specifying the Number of Men and the Number of Days such Men are to be absent from Home on account of such Exercise, not exceeding in the Whole Twenty eight Days; and the Lords Commissioners of His Majesty's Treasury in *Ireland* are hereby required, within Fourteen Days after the Receipt of such Certificate, to issue and pay out of the Consolidated Fund of *Ireland*, at the Rate of Ten Shillings *per* Day for the Captain of each Company, at the Rate of Five Shillings and Eight pence *per* Day for each Lieutenant, and of Four Shillings and Eight pence *per* Day for each Ensign, at the Rate of Seven Shillings and Six pence *per* Day for each Assistant Surgeon, and also at the Rate of One Shilling *per* Day for each Private Militia Man, for any Number of Days not exceeding Twenty eight, during which such Men shall be

be absent from Home on account of their Attendance at such Place of Annual Exercise.

IV. And be it further enacted, That all Sums of Money granted for the Pay, Clothing and contingent Expences of the said Militia as aforesaid, and the Allowances to Adjutants and Surgeons of the said Militia, shall be issued and paid by the Lords Commissioners of His Majesty's Treasury in Ireland, under the Direction of the Lord Lieutenant or other Chief Governor or Governors of Ireland for the time being, who is and are hereby empowered to issue such Regulations as he or they may deem it expedient to adopt from time to time in that Behalf.

Money granted for Pay, &c issued by Treasury of Ireland.

V. Provided always, and be it enacted, That where any Regiment or Battalion of Militia is or shall be embodied or called out into actual Service, and thereby the Officers and Private Militia Men are or shall be entitled to the same Pay as the Officers and private Men in His Majesty's other Regiments of Foot, all Pay as aforesaid shall, during such time of actual Service, and until such Regiment or Battalion shall be disembodied and return Home, cease and not be paid.

While Militia is embodied Pay and Allowance to cease.

VI. Provided also, and be it enacted, That no Fee or Gratuity whatsoever shall be given or paid for or upon Account of any Warrant or Sum of Money which shall be issued in relation to or in pursuance of this Act.

No Fee for Warrant.

VII. Provided also, and be it enacted, That any Person being on Half Pay, or being entitled to any Allowance, as having served in any or either of the Two Troops of Horse Guards, or Regiment of Horse reduced, and serving in the Militia, shall and may, and he is hereby empowered, to receive and take the Subsistence Money by this Act directed to be paid to Captains, Lieutenants or Ensigns; and the receiving and taking such Subsistence Money by any such Captain, Lieutenant or Ensign, shall not be deemed a receiving or taking Pay, so as in any manner to prevent such Person on Half Pay, or being entitled to any such Allowance, from receiving his Half Pay, or such Allowance; and such Person shall take the following Oath before some Justice of the Peace who is hereby empowered to administer the same:

Persons on Half Pay, or entitled to Allowance as having served in the Horse Guards, &c. serving in Militia, may receive same on taking Oath:

‘ I *A. B.* do swear, That I had not between the  
‘ and the any Place or Employment of Profit,  
‘ Civil or Military, under His Majesty, besides my Allowance of  
‘ Half Pay as reduced in  
‘ Regiment of or Allowance as  
‘ in late Troop of Horse Guards or  
‘ Regiment of Horse reduced, save and except  
‘ my Subsistence as an Officer, for serving in the Militia in the County  
‘ of

Form of Oath.

‘ So help me GOD.’

And taking the said Oath shall be sufficient to entitle such Person to receive his Half Pay or the said Allowance without taking any other Oath; any Law, Usage or Custom to the contrary notwithstanding.

VIII. And be it further enacted, That the Lords Commissioners of His Majesty's Treasury in Ireland, as soon as they shall receive a Warrant under the Hand of the Colonel or Commanding Officer of the respective Regiments or Battalions of the Militia of Ireland, certifying the Receipt of the Clothing, which Certificate shall specify the

Treasury on receiving Warrant from Colonel certifying Receipt of Clothing, &c. to issue Money for Payment. Number

Number of Serjeants, Corporals, Drummers and Private Men, for whom the same shall have been supplied, and an Order from the said Colonel or Commanding Officer for Money due on Account thereof, payable to the Person or Persons who furnished the said Clothing, shall pay the Sum mentioned in such Order to the Person entitled to receive the same, provided the said Clothing shall not exceed the Allowance hereinbefore directed; and such Warrant and Order, together with the Receipt of the Person receiving the said Money, shall be a sufficient Voucher to the Lords Commissioners of His Majesty's Treasury in *Ireland* for such Payment.

Expence of  
House for de-  
positing Arms  
and Stores of  
Militia defrayed  
by County.

IX. And be it further enacted, That the Hire or Cost of any House or Place in which the Arms, Accoutrements, Clothing or other Stores belonging to any Regiment or Battalion of Militia in *Ireland* shall be kept when not embodied, shall be defrayed by the County, and the necessary Sum for that Purpose shall be raised by Presentment of the Grand Jury of the said County, and which Presentment the Grand Jury of the County is hereby authorized and required to pass, on a Certificate signed by the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, and specifying the Cost incurred or to be incurred in building such House or Place, or the Rent agreed to be paid for the same; which Certificate shall be transmitted by such Chief Secretary to the Clerk of the Crown for such County, at any time prior to the First Day of the Assizes for such County, or if in the County or County of the City of *Dublin*, then prior to the First Day of the presenting Term: Provided that in no case any greater Rent than Forty Pounds *Irish* Currency shall be presented by such Grand Jury for the annual Rent of such Place, nor a greater Sum than Two hundred Pounds *Irish* Currency shall be required for building such House: Provided also, that the Grand Juries of such Counties shall be entitled to purchase Ground for building and erecting such House, in the same manner as they are now by Law entitled to purchase Ground for building County Gaols.

Adjutants, &c.  
after 20 Years  
Service, 10 of  
which as Adjutants  
of Militia,  
entitled to re-  
ceive a certain  
Allowance.

X. And whereas Persons appointed to act as Adjutants and Surgeons in the Militia may, by Age or Infirmary, be rendered incapable of doing the Duty thereof, and it is expedient that some Provision should be made for them in Consideration of their former Services; Be it enacted, That if any Adjutant or Surgeon of the said Militia, who shall have served faithfully either in His Majesty's Regular Forces or in the said Militia, for the full Term of Twenty Years in the Whole, Ten of which he shall have served as an Adjutant or Surgeon of Militia, shall have been by Age or Infirmary rendered unfit for further Service, he shall on producing to the Lords Commissioners of His Majesty's Treasury in *Ireland* a Certificate of such Service of Twenty Years as aforesaid, from the Commanding Officer of the Regiment or Battalion of Militia to which he belongs, be entitled to receive, and the said Lords Commissioners of His Majesty's Treasury in *Ireland* shall be, and they are hereby authorized and required, to pay to such Person producing such Certificate as aforesaid an Allowance at the Rate of Six Shillings *per Diem*: Provided always, that no Person shall be entitled to receive such Allowance as aforesaid, who shall have served for a less Term than Ten Years in the Militia, or who shall hold any Office or Employment of Profit, Civil or Military, under His Majesty.

‘ XI. And whereas it is expedient to make some Addition to the  
 ‘ Pay of certain Subaltern Officers and to Assistant Surgeons of the  
 ‘ Militia Forces of *Ireland* during Peace, under certain Regulations;’

Be it therefore further enacted, That, from and after the disembod-  
 ing of the Militia Forces in *Ireland*, certain annual Allowances, over  
 and above the Pay to which during Peace they are now entitled, shall  
 for the future be allowed and paid to such Subaltern Officers and  
 Assistant Surgeons to the Amount, under the Restrictions, and in the  
 manner hereinafter expressed; that is to say, to every Subaltern of  
 the said Militia, who shall have at any time previous to the Expiration  
 of Four Months from the passing of an Act of the last Session of Parli-  
 ament, intituled *An Act for defraying until the Twenty fifth Day of*  
*March One thousand eight hundred and thirteen, the Charge of the Pay*  
*and Clothing of the Militia of Ireland; and for making Allowances*  
*in certain Cases to Subaltern Officers of the said Militia during Peace,*  
 been appointed to a Commission in the said Militia, or who, previous  
 to the Expiration of Four Months from the passing of this Act, shall  
 be appointed to a Commission, and who shall have continued faithfully  
 to serve in the same Corps until the disembodiment thereof, the Sum  
 of Twenty five Pounds *per Annum* shall be allowed and paid over and  
 above the Pay to which they may be by Law entitled during Peace,  
 and over and above any Deduction of any Kind, or for any Purpose  
 whatsoever; and to every Assistant Surgeon a like Allowance of  
 Twenty five Pounds *per Annum*, in the manner hereinafter mentioned.

Annual Allow-  
 ance to Subaltern  
 Officers after dis-  
 embodying of  
 Militia.

52 G. 3. c. 122.

XII. 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 entitle him to hold a Captain's Com-  
 mission in the Militia of a County at large in *Ireland*, or who is or  
 shall be at any time hereafter appointed Adjutant or Paymaster in any  
 Regiment or Battalion of the said Militia, nor any Person deriving in  
 any way whatsoever, otherwise than as a Subaltern or Assistant  
 Surgeon of the said Militia, any Income, Stipend or Allowance  
 whatsoever from the Public, nor any Officer on the Full or Half Pay  
 of the Navy, Army or Marines, who shall also hold a Subaltern's  
 Commission in the said Militia, shall have or be in any wise entitled  
 to the said annual Allowance or any Part or Share thereof; any thing  
 herein contained to the contrary thereof in any wise notwithstanding.

Exceptions.

XIII. And be it further enacted, That every Subaltern Officer  
 and Assistant Surgeon of the Militia of *Ireland*, who shall claim under  
 the Authority of this Act to receive any such annual Allowance, shall,  
 previous to receiving the same, and in order to entitle himself thereto,  
 annually take and subscribe an Oath before some one of His Majesty's  
 Justices of the Peace for the County, or County of a City or County  
 of a Town in *Ireland*, to which the Regiment or Battalion in which  
 he serves shall belong, in the Words or to the Effect following;  
*videlicet,*

Subalterns  
 claiming Allow-  
 ances to take  
 Oath:

‘ I *A. B.* do swear, That I am serving as a Subaltern Officer [or, Form of Oath.  
 ‘ Assistant Surgeon, as the case may be,] in the

‘ Regiment or Battalion of the Militia of *Ireland*; and that I am not  
 ‘ in my own Right or in Right of my Wife, nor have been since  
 ‘ the disembodiment of the said Regiment or Battalion, in the actual  
 ‘ Possession and Enjoyment or Receipt of the Rents and Profits of  
 ‘ Lands, Tenements or Hereditaments, of such an annual Value above

‘ Reprizes,

• Reprizes, as would qualify me to hold a Captain's Commission in  
 • the Militia of a County at large in *Ireland*; and that I am not,  
 • nor have been since the disembodiment of the said Regiment or Bat-  
 • talion, an Adjutant or Paymaster in any Regiment or Battalion of  
 • the Militia of *Ireland*; and that I do not hold or enjoy, nor have  
 • held or enjoyed, nor does nor has any Person for me hold or enjoy  
 • or held or enjoyed, since the disembodiment of the said Regiment or  
 • Battalion, any Office or Income whatsoever from the Public;  
 • 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 Battalion.      So help me GOD.

Justices to transmit Oaths to Collectors of Excise.

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 Collector of Excise of the District in which the County, County of a City or County of a Town shall be situate, to which such Regiment or Battalion of Militia in which such Subaltern Officer or Assistant Surgeon shall be then serving shall belong, to be by him filed and preserved for the Purposes hereinafter mentioned.

Subalterns to attend annual Exercise.

XIV And be it further enacted, That every Subaltern Officer or Assistant Surgeon of the said 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 Battalion to which he belongs, during the Whole of the Twenty eight Days by Law required for that Purpose, and shall during that time, punctually do and perform his Duty as a Subaltern Officer or Assistant Surgeon of such Regiment or Battalion, 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 Battalion to which he may belong, shall be transmitted by the said Commanding Officer to the Collector of Excise of the District in which the County, County of a City or County of a Town is situate, to which such Regiment or Battalion in which such Subaltern Officer or Assistant Surgeon is then serving shall belong, to be by the said Collector received previous to any such Subaltern Officer or Assistant Surgeon being entitled to demand or receive the said annual Allowance, or any Part thereof; and in case any such Subaltern Officer or Assistant Surgeon, claiming to be entitled to such annual Allowance, shall be by his Commanding Officer 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 or Assistant Surgeon, 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 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 by him transmitted as soon as conveniently may be to the Collector of Excise for the District in which such County, County of a City or County of a Town, to which such Regiment or Battalion shall belong is situate, and to the Chief

Penalty.

Certificates of Attendance transmitted by Commanding Officer to Collector of Excise.

Leave of Absence, Reason for granting it inserted in Certificate.

Secretary



Secretary of the Lord Lieutenant or other Chief Governor, or Governors of *Ireland* for the time being.

XV. Provided always, and be it further enacted, That in case any Regiment or Battalion of the said Militia, after the disembodiment thereof, at any time shall not be called out for the annual Exercise and Training thereof, every Subaltern Officer and Assistant Surgeon belonging to any such Regiment or Battalion, and coming within the Descriptions of this Act, who shall have taken 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 or Assistant Surgeon had regularly attended the annual Exercise and Training of such Regiment or Battalion during the Whole of the Twenty eight Days by Law required for that Purpose, and as if a Certificate of such Attendance, signed by the Commanding Officer of such Regiment or Battalion, had been transmitted to the Collector of Excise for the District in which such County, County of a City or County of a Town, to which such Regiment or Battalion shall belong is situate, according to the Directions of this Act; any thing contained in this Act to the contrary notwithstanding.

Militia not called out to annual Exercise, Subalterns still entitled to Allowance.

XVI. And be it further enacted, That upon such Certificate as aforesaid of such Justice of the Peace and Commanding Officer as aforesaid, or where any Regiment or Battalion shall not have been called out to their annual Exercise as aforesaid, upon Certificate of any such Justice of the Peace only being produced to or received by the respective Collectors, it shall and may be lawful for such Collectors, and they are hereby authorized and required to pay to the said Subaltern Officers and Assistant Surgeons, the annual Allowance above mentioned, in Addition to their Pay, without any Deduction whatsoever, out of any public Monies in their Hands; all which Monies so paid by such Collectors shall be allowed them in their Accounts; the Certificates before mentioned to be by them preserved and produced as Vouchers for the Payments from time to time made by them in pursuance of this Act.

Allowances paid without Deductions.

XVII. And be it further enacted. That the Subaltern Officers and Assistant Surgeons of the said 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 Battalions to which they belong, whenever the same shall be embodied or called out upon actual Service; and in case of Neglect or Refusal to attend when called upon, or in case any Subaltern Officer or Assistant Surgeon 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 or Assistant Surgeon 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.

Penalty.

XVIII. And be it further enacted, That the said several annual Allowances shall be paid to the Persons respectively entitled thereto, by the Collectors, upon the Production of the before mentioned several Certificates as soon after the times of the annual Exercise and Training as may be convenient or practicable: Provided always, that nothing in this Act contained shall extend or be construed to

Allowance paid by Collectors on Production of Certificates;

not paid while  
Militia embodied.

Allowances to  
extend only to a  
certain Number.

Senior Lieuten-  
ant to have  
Preference, and  
Junior to suc-  
ceed on Va-  
cancies.

Recovery of  
Penalties, &c.

Act altered or  
repealed.

Continuance.

extend, to prevent any Subaltern Officer entitled to the Benefit of this Act, from receiving the Pay allowed by Law for his Attendance at such annual Exercise as before mentioned, over and above the said annual Allowance: Provided also, that nothing in this Act 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 Battalion 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 extend, and be construed to extend, to the Assistant Surgeon of each and every Regiment or Battalion respectively, and also to the respective Numbers of Subaltern Officers in each and every Regiment and Battalion hereinafter respectively specified and no more; that is to say, not exceeding Twenty Subaltern Officers in any Regiment consisting of Ten Companies; not exceeding Eighteen Subaltern Officers in any Regiment consisting of only Nine Companies; not exceeding Sixteen Subaltern Officers in any Regiment consisting of only Eight Companies; not exceeding Fourteen Subaltern Officers in any Regiment or Battalion consisting of only Seven Companies; and not exceeding Twelve Subaltern Officers in any Regiment or Battalion consisting of only Six Companies.

XIX. And be it further enacted, That in case in any Regiment or Battalion of the said Militia, at the time of disembodiment thereof, there shall happen to be a greater Number of Subaltern Officers coming within the Description of this Act than can be entitled to claim the Benefits thereof, within the true Intent and Meaning of the foregoing Proviso, the Senior Officers of such Number shall always be preferred, and be alone entitled to demand and receive the before mentioned Allowances, and that the Junior Officers shall succeed to such Allowances in Rotation as Vacancies may happen among the said Senior Officers from time to time.

XX. And be it further enacted, That all Penalties and Costs, and Charges of Suit, and all Sums of Money to or for which any Person or Persons is or are or may be made answerable or liable, under or by virtue of this Act, shall be paid in *Irish* Currency, and shall be recovered in any of His Majesty's Courts of Record at *Dublin*, by Action of Debt, Bill, Plaint or Information, wherein no Effoin, Wager of Law, Privilege or Protection, nor more than One Imparllance shall be allowed.

XXI. And be it further enacted, That this Act may be altered, amended or repealed, by any Act or Acts to be made in this present Session of Parliament.

XXII. And be it further enacted, That this Act shall continue in force until the Twenty fifth Day of *March* One thousand eight hundred and fourteen, and no longer.

### C A P. LXXX.

An Act for raising the Sum of Three hundred and thirty thousand Pounds by Treasury Bills for the Service of *Ireland*, for the Year One thousand eight hundred and thirteen.

[2d July 1813.]

“ IRISH Treasury may issue Bills to a certain Extent to bear  
“ Interest. § 1. Bills issued not to exceed £330,000 *Irish* Currency.  
“ Bills,



“ Bills, if not paid off, shall be taken in Payment of the Revenue  
 “ in *Ireland*, after such time as the Treasury shall appoint, and  
 “ Interest shall cease. § 2, 3. Money to be carried to the *Irish*  
 “ Consolidated Fund. § 4. Bills to be chargeable thereon. § 5. Bank  
 “ of *Ireland* may advance the Sum of £330,000 on Credit of  
 “ Act. § 6.

## C A P. LXXXI.

An Act to amend several Acts relating to the Militia, and to  
 enlisting of the Militia into His Majesty's Regular Forces.

[2d July 1813.]

WHEREAS Doubts have arisen as to the Relief of Wives  
 and Families of Men serving in the Militia, where such  
 Wives have accompanied or been with their Husbands with the  
 Regiment, or left their Children or Home; and it is expedient that  
 such Doubts should be removed: And whereas it is also expedient  
 that certain of the Provisions of the Acts relating to the Militia should  
 be amended: 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 no Wife or Family of any  
 Person serving in the Militia, and entitled by reason thereof to  
 Relief, shall be deemed or construed to have forfeited or to forfeit  
 such Claim to Relief, by reason of such Wife having followed or  
 accompanied or been with her Husband with the Regiment in  
 which her Husband shall serve, or by reason of any such Wife  
 leaving her Child or Children, or departing from her Home; but  
 any Wife and Family of any Militiaman entitled as such to Relief,  
 shall, upon her Return to her Home, be entitled, from the time of  
 her Return, to claim and have such Relief for herself and Family as  
 is directed by the Laws in force for the Relief of Families of Militia-  
 men, notwithstanding any such following or accompanying of, or  
 having been with her Husband, or leaving her Child or Children,  
 or departing from her Home; any thing in any Act or Acts of  
 Parliament passed in the Reign of His present Majesty relating to  
 the Militia of *Great Britain* to the contrary notwithstanding.

II. And be it further enacted, That the Allowance to be made to  
 a Surgeon employed in the Examination of balloted Men and Sub-  
 stitutes, under the Provisions of an Act passed in the Forty second  
 Year of His present Majesty, intituled *An Act for amending the Laws*  
*relating to the Militia in England, and for augmenting the Militia*, or  
 of another Act passed in the same Year, intituled *An Act to raise*  
*and establish a Militia Force in Scotland*, shall be One Guinea for  
 every Day he shall actually attend for that Purpose, instead of Ten  
 Shillings; any thing in the said recited Acts to the contrary notwith-  
 standing; and such increased Allowances shall be paid in like manner  
 as the former Allowance of Ten Shillings *per* Day was directed to  
 be paid.

III. And be it further enacted, That it shall be lawful for the  
 Secretary at War for the time being, to require and take from all  
 Persons who shall be appointed to the Situation of Clerks of Sub-  
 division Meetings after the passing of this Act, Security by Bond, in  
 such

Wife of Militia-  
 man following  
 Regiment, or  
 leaving Home,  
 on Return enti-  
 tled to Relief.

Allowance to  
 Surgeons attend-  
 ing to examine  
 balloted Men, &c.  
 increased.

42 G. 3. c. 90.

§ 52.

42 G. 3. c. 91.

§ 47.

Secretary at  
 War to require  
 Clerks of Subdi-  
 visions to give  
 Security.

such Sum as to him shall seem reasonable, with Two sufficient Sureties for the due Execution of the Trusts reposed in them, and for the duly paying and accounting for, according to Law, all Sums of Money which shall come to their Hands as Clerks of Subdivision Meetings; and no Appointment of any Person after the passing of this Act shall be good or valid till such Security shall be given; and every Person so appointed as aforesaid, and acting as a Clerk of Subdivision Meeting, without having first given such Security as aforesaid, shall forfeit, for any time he shall so act, before having given such Security, the Sum of One hundred Pounds, together with the Amount of all Money which shall have been paid to him as such Clerk of Subdivision Meetings as aforesaid.

**Penalty.**

Volunteers in what case not liable to serve in Militia,

44 G. 3. c. 54. although balloted while Volunteers.

Additional Sergeants, Corporals and Drummers.

How Supernumeraries raised.

51 G. 3. c. 20.

Militia Officers may raise Men at Head Quarters, or any adjoining County.

Where more than One Regi-

IV. And be it further enacted, That no Member of any Corps of Volunteers whose Services shall have been or may be discontinued by any Order of His Majesty, shall be compelled or liable to serve in the Militia by reason of his having been balloted during the Period of his having been an effective Volunteer; any thing contained in an Act passed in the Forty fourth Year of His present Majesty, intituled *An Act to consolidate and amend the Provisions of the several Acts relating to Corps of Yeomanry and Volunteers in Great Britain; and to make further Regulations relating thereto*, to the contrary notwithstanding: Provided always, that such Exemption shall not extend to any Volunteers discharged for Misconduct, or quitting any Corps before the Services thereof shall have been discontinued by Order of His Majesty.

V. And be it further enacted, That it shall be lawful for the Commandant of any Regiment, Battalion or Corps of Militia, with the Approbation of His Majesty, to appoint additional Non Commissioned Officers and Drummers to such Regiment, Battalion or Corps, in the Proportion of One additional Serjeant, and One additional Corporal, and One additional Drummer, for every Fifty Supernumeraries His Majesty may order to be raised for such Regiment, Battalion or Corps.

VI. And be it further enacted, That it shall be lawful for His Majesty to allow and order the raising by Beat of Drum for the Militia of each County, over and above the Quotas to which the Militia is to be reduced under an Act passed in the Fifty first Year of His present Majesty, intituled *An Act to allow a certain Proportion of the Militia of Great Britain to enlist annually into the Regular Forces; and to provide for the gradual Reduction of the said Militia*, such Number of Supernumeraries as His Majesty shall order and direct, not exceeding One Half of the Amount of the Quotas above mentioned.

VII. And be it further enacted, That it shall be lawful for the Colonels or Commanding Officers of Regiments of Militia, and the Commissioned and Non Commissioned Officers thereof, with the Approbation of His Majesty, to raise Men for the Militia by Beat of Drum at the Head Quarters of their respective Regiments, or within Ten Miles thereof, although such Head Quarters or Circle of Ten Miles may not be within the County to which the Militia shall belong, or any adjoining County; any thing in any Act or Acts of Parliament to the contrary notwithstanding.

VIII. And be it further enacted, That the Proportion of Men allowed to enlist into His Majesty's Regular Forces from the Militia of

of any County, Riding, Division or Stewartry, having more than One Regiment, shall be One Seventh of the actual Establishment of each Regiment at the time of such enlisting, and not in Proportion to the Number of Men actually serving; any thing in any Act or Acts of Parliament relating to enlisting from the Militia to the contrary notwithstanding.

ment, Proportion of each Regiment allowed to enlist.

IX. Provided also, and be it further enacted, That if the Number of Men actually serving in any Regiment on the Twenty fourth Day of *January* in each Year shall, after deducting the annual Quota allowed to enlist therefrom into His Majesty's Regular Forces, exceed the Number allowed upon the Establishment of such Regiment, such Excess shall be allowed to volunteer and enlist into His Majesty's Regular Forces, in addition to and over and above such annual Quota as aforesaid; any thing in any Act or Acts to the contrary notwithstanding.

In what case, any above Establishment of a Regiment, allowed to enlist.

X. And whereas no Provision is made by the said Act for the Recovery of Sums paid by Treasurers of Counties, which ought to be repaid by Treasurers of other Counties, Cities, Boroughs, Towns and Places; Be it further enacted, That in every case where an Account of Sums paid by the Treasurer of any County, City, Borough, Riding, Division, Town or Place, on account of Militiamen serving for any other County, City, Borough, Riding, Division, Town or Place, shall have been transmitted to such respective Treasurer duly certified as required by the said Act, and no legal Objection shall have been made to such Account within the Period of Three Months from the Receipt thereof, the same shall be considered as correct and conclusive, and the Treasurer to whom such Account shall have been so transmitted shall be liable and is hereby directed to pay the full Amount thereof to the Treasurer from whom he shall have received such Account; and in case of Neglect of Payment by such Treasurer for the Space of Two Months from the Expiration of such first mentioned Period of Three Months, that such Treasurer so neglecting shall be liable to the Penalty of Fifty Pounds.

Recovery of Sums paid by County Treasurers.

Penalty.

### C A P. LXXXII.

An Act to amend an Act made in the Fifty second Year of His present Majesty's Reign, intituled *An Act to explain the Exemption from Toll in several Acts of Parliament, for Carriages employed in Husbandry; and for regulating the Tolls to be paid on other Carriages, and on Horses, in certain other cases therein specified; and for other Purposes relating thereto.*

[2d July 1813.]

WHEREAS by a Clause in an Act of Parliament, made in the Thirteenth Year of His present Majesty's Reign, 13 G. 3. c. 84. intituled *An Act to explain, amend and reduce into One Act of Parliament, the general Laws now in being for regulating the Turnpike Roads in that Part of Great Britain called England; and for other Purposes*, it is enacted, that the Regulations of Weight therein before mentioned should not be deemed or construed to extend to any Waggon, Cart or other Carriage, employed only in Husbandry or carrying only Manure for Land, Hay, Straw, Fodder or Corn unthrashed;

§ 6.

52 G. 3. c. 145.

§ 6.

unthrafsed : And whereas by a Clause in an Act of Parliament, made in the Fifty second Year of His present Majesty's Reign, intituled *An Act to explain the Exemption from Toll in several Acts of Parliament, for Carriages employed in Husbandry ; and for regulating the Tolls to be paid on other Carriages, and on Horses, in certain other cases therein specified*, it is enacted, that the Regulations of Weight in the before mentioned Act of the Thirteenth Year of the Reign of His present Majesty, shall not be deemed or construed to extend to any Waggon, Cart or other Carriage, laden with Manure for Land, passing through any Turnpike Gate, so as to subject the Owner or Driver thereof to the Payment of Toll in respect of Overweight, by reason of any empty Basket or Baskets, empty Sack or Sacks, for more convenient Carriage, or Spade, Shovel or Fork, necessary for loading and unloading such Manure, being in and upon any such Waggon, Cart or Carriage, in addition to such Manure, if the Loading thereof is substantially Manure for Land as aforesaid ; provided that the Fellies of the Wheels of such Carriages, Waggon, Carts or other Carriages, are of the Breadth or Gauge of Six Inches or more, and that such Waggon, together with the Loading thereof, shall not exceed Three Tons in the Summer, and Two Tons Ten hundred Weight in the Winter ; and to every Cart, having the Fellies of the Wheels of less Breadth than Six Inches, Two Tons in Winter, and Two Tons Ten hundred Weight in Summer : And whereas the said Proviso in the said last mentioned Clause in the said Act of the Fifty second Year of His Majesty's Reign is by Experience found to be inconvenient, and to operate to the Discouragement of Husbandry : 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 so much of the said last mentioned Clause as relates to the Breadth of the Fellies of the Wheels of such Waggon, Carts or other Carriages, and the Weight of such Waggon and Carts, together with the respective Loading thereof, shall be and from henceforth shall stand absolutely repealed, and is hereby repealed.

52 G. 3. c. 145.  
§ 6.

repealed.

Toll not demanded for Carriage, or Cattle, on account of empty Baskets, &c.

II. And be it further enacted, That, from and after the passing of this Act, the Owner or Driver of any Waggon, Cart or other Carriage, laden with Manure for Land, passing through any Turnpike Gate, or otherwise passing on or across any Turnpike Road, shall not be liable to pay any Toll, nor shall any Toll be demanded for such Carriage so laden, or the Cattle drawing the same, by reason only of any empty Basket or Baskets, empty Sack or Sacks, for more convenient Carriage, or Spade, Shovel or Fork, necessary for loading or unloading such Manure, being in or upon any such Waggon, Cart or other Carriage, in addition to such Manure, if the Loading thereof is substantially Manure for Land as aforesaid ; any thing in any Act contained to the contrary thereof notwithstanding.

52 G. 3. c. 145.  
§ 1.

III. And whereas by another Clause in the said Act of the Fifty second Year of His present Majesty's Reign, the Exemption from Toll in respect of Cattle or Carriages going empty or returning empty, having been laden with any Dung, Mould, Soil, Marle, Lime or Compost, of any Nature or Kind soever, for manuring or improving Land, or Hay, Straw, or any Fodder for Cattle,

‘ Cattle, is restricted to such Cattle or Carriages going empty or returning so laden on the same Day : And whereas by several particular or local Acts for making or repairing Turnpike Roads, the Exemption from Toll for and in respect of Cattle and Carriages going empty and returning so laden, has been granted without such Restriction ;’ Be it therefore enacted, That so much of the said Clause as limits the Exemption from Toll granted by such several particular or local Acts to Cattle or Carriages returning the same Day, be repealed ; and that all the Provisions of such several particular or local Acts for making or repairing Turnpike Roads, which grant the said Exemptions without such Restrictions as aforesaid, shall stand and be in full Force ; any thing in the said Act of the Fifty second Year of His present Majesty’s Reign to the contrary notwithstanding.

Exempting from Toll on Manure.

IV. Provided always, and be it enacted, That nothing in this Act or the said Act of the Fifty second Year of His Majesty’s Reign, shall extend to *Scotland*, or to any Turnpike Road out of *England*.

Scotland.

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

Public Act.

#### C A P. LXXXIII.

An Act to increase the Allowance to Innkeepers for Diet furnished to Soldiers on a March. [2d July 1813.]

‘ **W**HEREAS by an Act passed in the present Session of Parliament, intituled *An Act for increasing the Rates of Subsistence to be paid to Innkeepers and others on quartering Soldiers*, all Non Commissioned Officers and Soldiers while on their March, from and after the Twenty fourth Day of *June* One thousand eight hundred and thirteen, are entitled to receive their Diet and Small Beer from the Innholders or other Persons on whom they may be billeted within the Parts of the United Kingdom mentioned in the said Act, at the Rate of Ten pence *per Diem* ; And whereas it is expedient that the said Allowance should be further increased :’ 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 Twenty fourth Day of *June* One thousand eight hundred and thirteen, instead of the Sum of Ten pence the Sum of One Shilling and Two pence shall be allowed to such Innholders and other Persons for Diet furnished to Non Commissioned Officers and Soldiers on their March, for the Periods and according to the Provisions prescribed in the said recited Act ; and for such Allowance of One Shilling and Two pence such Innholder or other Person shall furnish One Meal according to the Provisions of the said recited Act ; any thing contained in the said recited Act to the contrary notwithstanding.

53 G. 3. c. 43.

§ 1. 5.

Instead of 10d. 1s. 2d allowed for Soldiers’ Diet.

## C A P. LXXXIV.

An Act for repealing the Duties payable on the Importation of Wine the Produce of the *Cape of Good Hope*, and its Dependencies, and charging other Duties in lieu thereof.

[21 July 1813.]

49 G. 3. c. 98.  
43 G. 3. c. 69.

Duties and Drawbacks on Wine imported from Cape to cease, and those in Schedules A. and B. paid and allowed.

Wines warehoused under the Regulations prescribed by

43 G. 3. c. 132.  
and

45 G. 3. c. 87.

WHEREAS it is expedient that the Duties and Drawbacks of Customs and Excise respectively payable on the Importation into and Exportation from *Great Britain* of Wine the Produce of His Majesty's Settlement of the *Cape of Good Hope*, and of the Territories and Dependencies thereof, should be repealed, and that other Duties and Drawbacks should be imposed and allowed in lieu thereof: 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 eight hundred and thirteen, the Duties and Drawbacks of Customs and Excise respectively payable by Law upon Wine the Produce of His Majesty's Settlement of the *Cape of Good Hope*, and of the Territories and Dependencies thereof, imported into *Great Britain*, do cease and determine, save and except in all cases relating to the recovering or paying any Arrears thereof which may remain unpaid, or to any Fine, Penalty or Forfeiture relating thereto which shall have been incurred at any time before or on the said Fifth Day of *July* One thousand eight hundred and thirteen; and that, from and after the said Day, in lieu and instead of the Duties hereby repealed, there shall be raised, levied, collected and paid unto His Majesty, his Heirs and Successors, the several Duties of Customs and Excise respectively on Wine the Produce of His Majesty's Settlement of the *Cape of Good Hope*, or of the Territories and Dependencies thereof, imported into *Great Britain*, as the same are respectively inserted, described and set forth in Figures in the Tables hereunto annexed, marked (A.) and (B.) respectively; and that there shall be paid or allowed on the Exportation of such Wine the several Drawbacks of the said Duties of Customs and Excise respectively, as the same are also respectively inserted, described and set forth in Figures in the said Tables: Provided always, that nothing herein contained shall extend or be construed to extend to compel the Importers, Proprietors or Consignees of such Wine to pay the Duties upon the Importation and Landing thereof, in case such Importers, Proprietors or Consignees shall lodge and secure the same under the joint Locks of the Crown and the Merchant, in Warehouses in the Port of *London* under the Regulations of an Act passed in the Forty third Year of the Reign of His present Majesty, intituled *An Act for permitting certain Goods imported into Great Britain to be secured in Warehouses without Payment of Duty*, or in Warehouses at the Out Ports under the Regulations of an Act passed in the Forty fifth of Year the Reign of His present Majesty, intituled *An Act to authorize the Lords Commissioners of His Majesty's Treasury to permit certain Articles to be warehoused in different Ports of Great Britain upon giving Security for the Payment of Duties upon the Articles therein mentioned.*

II. And be it further enacted, That the said Duties and no others shall be charged and payable on any of the said Wine, which, having been warehoused or otherwise secured under the Authority of any Act of Parliament without Payment of Duty, shall be taken out of any such Warehouse or Place wherein the same shall have been lodged or secured, for the Purpose of being used or consumed in *Great Britain* after the said Fifth Day of *July*, notwithstanding the same may have been imported into *Great Britain* on or before the said Fifth Day of *July*.

Duties charged on Wine taken out of Warehouses after July 5.

III. And be it further enacted, That such of the said Duties as shall arise in that Part of *Great Britain* called *England* shall be under the Management of the Commissioners of the Customs and Excise respectively 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 the Customs and Excise respectively in *Scotland* for the time being.

Duties under Commissioners of Customs and Excise.

IV. And be it further enacted, That the said Duties shall be managed, ascertained, raised, levied, collected, paid and recovered in such and the like manner as any Duties of Customs and Excise respectively of a like nature are managed, ascertained, raised, levied, collected, paid and recovered, and the said Drawbacks shall be paid and allowed under and subject to the several Powers, Conditions, Rules, Regulations, Restrictions, Penalties and Forfeitures now in force in relation to or made for securing the Revenues of Customs and Excise respectively, and for the Payment and Allowance of the Drawbacks of Customs and Excise respectively in *Great Britain*; and all Pains, Penalties, Fines and Forfeitures for any Offences whatever committed against or in Breach of any Act or Acts of Parliament in force on or immediately before the passing of this Act made for securing the Revenue of Customs and Excise respectively, or for the Regulation or Improvement thereof respectively, or for the Prevention of Frauds relating to the said Drawbacks respectively; and the several Clauses, Powers and Directions therein contained, shall be in full Force and Effect as to the said Duties and Drawbacks respectively, as fully and effectually to all Intents and Purposes as if they were at large repeated and re-enacted in this Act.

Duties how levied.

V. And be it further enacted, That the Duties by this Act imposed shall apply and shall be deemed and taken to apply after the same Rate and in the same Proportion to any greater or less Quantity than a Tun of such Wine.

Rate after a greater or less Quantity than a Tun.

VI. And be it further enacted, That all Monies from time to time arising from the said Duties, 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 shall be appropriated and applied in due Proportions in the same manner as the Duties by this Act repealed were by the several Acts of Parliament in that behalf in force immediately before the passing of this Act were directed to be appropriated and applied.

Application of Money.

VII. And be it further enacted, That this Act may be altered, amended or repealed by any Act or Acts to be made in this present Session of Parliament.

Act altered, &c.

## TABLES to which this Act refers.

Table (A.)

A TABLE of Duties of Customs payable on the Importation of Wine, the Produce of His Majesty's Settlement of the Cape of Good Hope, or the Territories and Dependencies thereof, into Great Britain.

	Duty.	Drawback.
	£ s. d.	£ s. d.
Wine, the Produce of His Majesty's Settlement of the Cape of Good Hope, or of the Territories or Dependencies thereof,		
— imported in a British-built Ship, the Tun containing 252 Gallons - - - - -	14 7 0	—
— not imported in a British-built Ship, the Tun containing 252 Gallons - - - - -	15 8 8	—
— exported to any British Colony or Plantation in America, to Brazil or any other of the Territories or Possessions of the Crown of Portugal in South America, or to any of the Territories of the United States of America, the Tun containing 252 Gallons -	- - -	13 6 0
— exported to any other Place, the Tun containing 252 Gallons -	- - -	12 5 0

Table (B.)

A TABLE of Duties and Drawbacks of Excise.

	Duty.	Drawback.
	£ s. d.	£ s. d.
Wine, the Produce of His Majesty's Settlement of the Cape of Good Hope, or of the Territories or Dependencies thereof, the Tun containing 252 Gallons - -	17 10 0	16 9 0

C A P.



## C A P. LXXXV.

An Act for amending Two Acts passed in the Thirty first and Thirty second Years of His present Majesty, 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.

[2d July 1813.]

WHEREAS by an Act passed in the Thirty first Year of the Reign of His late Majesty, 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*; the Sum of Six pence *per Diem* was thereby directed to be allowed and paid to *British* Governors, Ministers, Consuls and Merchants residing in Foreign Parts, for the Subsistence of all Seafaring Men and Boys, Subjects of *Great Britain*, that should be shipwrecked, captured, or by other unavoidable Accidents be driven or cast away, or that should be discharged unserviceable from any Ships or Vessels of the Royal Navy, and the like Sum of Six pence *per Diem* was directed to be paid and allowed to every Master or Person having Charge of a Ship or Vessel taking on board such Seafaring Men and Boys in the manner in the said Act mentioned: And whereas by an Act passed in the Thirty second Year of the Reign of His present Majesty, for explaining and amending the said Act, and for further extending the Benefits thereof 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, the Sum of Nine pence *per Diem* was thereby directed to be allowed and paid instead of the aforesaid Sum of Six pence, in the same manner and under the same Regulations and Restrictions as were directed by the said first mentioned Act, respecting the Sum of Six pence *per Diem* thereby allowed: And whereas Inconvenience hath arisen to His Majesty's Service from the present Inadequacy of the said Allowance of Nine pence *per Diem* for the Maintenance of Mariners in Distress in Foreign Parts, or for their Subsistence on board Merchant Ships or Vessels in which they may be sent Home, in pursuance of the said Acts; 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, there shall be allowed and paid to the said Governors, Ministers, Consuls and Merchants for the Maintenance of all such Seafaring Men and Boys, Subjects of the United Kingdom of *Great Britain and Ireland*, as shall be shipwrecked, captured or by other unavoidable Accidents be driven or cast away, or as shall be discharged unserviceable

31 G. 2. c. 10.

§ 27.

32 G. 3. c. 35.

§ 8.

Instead of Sum paid under recited Acts for Maintenance of Seafaring Men shipwrecked, &c. such Sum per

*Diem paid as Admiralty shall direct.*

able from any of His Majesty's Ships or Vessels, and to every Master or other Person having Charge of a Ship or Vessel taking on board and subsisting such Seafaring Men and Boys in manner in the said first mentioned Act expressed, such Sum of Money *per Diem* as the Lord High Admiral of the said United Kingdom, or the Commissioners for executing the said Office of Lord High Admiral for the time being, shall from time to time in their Discretion authorize or direct to be paid to them the said Governors, Ministers, Consuls, Merchants, Masters or other Persons respectively, the like Sum *per Diem* only being deducted for such time and for so many Persons as such Master or other Person as aforesaid shall want of the Complement of his Ship or Vessel during the Voyage.

C A P. LXXXVI.

An Act to explain an Act made in the Fiftieth Year of His present Majesty, for directing Accounts of Increase and Diminution of Public Salaries, Pensions and Allowances, to be annually laid before Parliament; and to regulate and controul the granting and paying of such Salaries, Pensions and Allowances.

[2d July 1813.]

50 G. 3. c. 117.

WHEREAS an Act was passed in the Fiftieth Year of the Reign of His present Majesty, intituled *An Act to direct that Accounts of Increase and Diminution of Public Salaries, Pensions and Allowances, shall be annually laid before Parliament; and to regulate and controul the granting and paying of such Salaries, Pensions and Allowances*: And whereas it had been usual heretofore for His Majesty, by his Order in Council, to grant, under certain Circumstances, Compensations and Pensions to Persons in the Naval Departments, which Compensations and Pensions were placed on the Ordinary Estimate of the Navy, and therein brought under the annual Controul and Revision of Parliament: And whereas Doubts have arisen, whether the said Act does not interfere with and prevent the Exercise of the said Power of His Majesty in Council, except in certain Cases and under certain Conditions, in the said Act particularly specified: To obviate these Doubts, 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 nothing in the said Act contained shall extend or be construed to extend to prevent His Majesty in Council from granting such Compensation or Pensions, and to such Amount as His Majesty in Council may think proper, to any such Person or Persons in the same manner, and according to the same Rules, Usage or Practice, as His Majesty in Council might lawfully have done before the passing of the said Act.

Recited Act not to prevent His Majesty granting Naval Pension or Compensation;

placed on Ordinary Estimate of Navy.

II. Provided always, and be it further enacted, That every such Compensation or Pension shall be placed as on the Ordinary Estimate of the Navy, and shall be annually laid before Parliament, according to the Provisions of the said Act.

C A P.

## C A P. LXXXVII.

An Act to continue for Seven Years Two Acts passed in the Forty eighth and Forty ninth Years of the Reign of His present Majesty, for preventing Frauds by Boatmen and others, and adjusting Salvage; and for extending and amending the Laws relating to Wreck and Salvage.

[2d July 1813.]

WHEREAS an Act passed in the Forty eighth Year of the Reign of His present Majesty, intituled *An Act for preventing Frauds and Depredations committed on Merchants, Ship Owners and Underwriters, by Boatmen and others, within the Jurisdiction of the Cinque Ports; and also for remedying certain Defects relative to the Adjustment of Salvage, under a Statute made in the Twelfth Year of the Reign of Her late Majesty Queen Anne*: And whereas another Act passed in the Forty ninth Year of the Reign of His present Majesty, intituled *An Act for preventing Frauds and Depredations on Merchants, Ship Owners and Underwriters, by Boatmen and others; and also for remedying certain Defects relative to the Adjustment of Salvage in England, under an Act made in the Twelfth Year of Queen Anne*: And whereas it is expedient that the said recited Act should be further continued; and the said Acts and the Laws now in force relating to Wrecks and Salvage should be amended, and further Provisions made in respect thereof: 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 the said recited Acts of the Forty eighth and Forty ninth Years of His present Majesty, except so far as the same are altered by this Act, shall be and continue in force for Seven Years from the passing of this Act, and from thence to the End of the then next Session of Parliament, and no longer.

II. And be it further enacted, That no Lord or Lady of any Manor, or other Person who may be entitled to or claim to be entitled to Wreck of the Sea, or to any Goods found Jetſam, Flotſam, Lagan, shall be entitled to appropriate such Wreck or Goods to his, her or their own Use, or otherwise to dispose thereof, until he, she or they shall have caused a Report thereof in Writing to be given to the Deputy Vice Admiral of that Part of the Coast where the same shall have been stranded, wrecked or found, or to his Agent, or if there shall be no such Deputy Vice Admiral or Agent residing within the Distance of Fifty Miles, then to the Corporation of the Trinity House of *Deptſford Strand*, which Report shall contain an accurate and particular Description of the Wreck or Goods found, and of the Place or Places, and time or times where and when the same may have been found, and of any Marks that may be thereon, and of such other Particulars as may the better enable the Owner or Owners thereof to recover the same; and also of the Place or Places where the same are deposited, and may be found and examined by any Persons claiming any Right to such Wreck or Goods, nor until the full Expiration of One whole Year and a Day after the Delivery of such

48 G. 3. c. 130.

49 G. 3. c. 122.

continued.

Report of Wrecks to e. Deputy Vice Admiral of the Coast, &c.

Penalty.

52 G. 3. c. 159.

Perishable  
Goods sold with  
Consent of a  
Justice.Money deposited  
in Hands of  
Lord of Manor,  
&c.Carriages may  
pass over Lands  
near Coast

such Notice; any thing in any Law to the contrary notwithstanding; and the Deputy Vice Admiral or Agent aforesaid shall, within Forty eight Hours after receiving such Report as aforesaid, transmit a Copy thereof to the Secretary of the Corporation of the Trinity House of *Deptford Strand*, upon Pain of forfeiting, for any Neglect to transmit such Account as aforesaid, the Sum of Fifty Pounds to any Person who will sue for the same; and the said Secretary shall cause such Account to be placed in some conspicuous Situation for the Inspection of all Persons claiming to inspect and examine the same: Provided always, that nothing herein contained shall extend or be construed to extend to repeal, or in any manner to affect any of the Provisions of an Act passed in the last Session of Parliament, intituled *An Act for charging Foreign Liquors and Tobacco Duties, Jetfam, Fleisam, Lagan or Wreck, brought or coming into Great Britain, with the Duties payable on Importation of such Liquors and Tobacco.*

III. And be it further enacted, That when any Goods which shall be found or taken possession of by any Lord or Lady of any Manor, or Person entitled or claiming to be entitled to Wreck of the Sea, or to Goods found Flotjam, Jetfam or Lagan, or his or her Agent or Servant, or by any Vice Admiral or his Deputy or Agent, or by any Officer or other Person whatsoever acting by or under the Authority of the said recited Acts or of either of them, shall be of so perishable a Nature, or so much injured or damaged that the same cannot be kept, then and in every such case, such Goods shall and may, at the Request of any of the Persons interested or concerned therein, or in the saving and preserving thereof, by and with the Consent and Approbation of some Justice of the Peace not interested or concerned in the same, or in the saving or preserving thereof, and in the Presence of such Justice, or of some Person for that Purpose specially appointed by such Justice, be sold by Public Auction, or Private Contract, as such Justice may direct by some Writing under his Hand, which Writing shall contain an accurate and particular Account of the Goods, and of any Marks that may be thereon, or other Particulars belonging thereto, and of the times and Places of the finding and intended Sale thereof; and the Money raised by such Sale, after defraying the reasonable Expences of the Sale, to be settled and allowed by such Justice, shall be deposited and remain in the Hands of the Lord or Lady of the Manor, or other Person, or Deputy Vice Admiral who would have received the Custody of the Goods so sold, to abide and be subject and liable to the Claims of all Persons in like manner as the Goods themselves would be subject and liable if remaining unsold: Provided always that all Persons required to transmit Reports to the Deputy Vice Admiral, of the finding of any Goods, shall, in case of any such Sale as last aforesaid, likewise transmit to such Deputy Vice Admiral, an Account of such Sale and of the Proceeds thereof; and the said Deputy Vice Admiral shall forward such Reports to the Secretary of the Trinity House of *Deptford Strand*, within the like Periods, and under and subject to the like Penalties and Forfeitures for any Neglect therein, as in cases of any Goods found and required to be reported under the Provisions of the said recited Act and this Act.

IV. And be it further enacted, That it shall be lawful for the Deputy Vice Admiral of the Part of the Coast where any Ship or Vessel shall be stranded or wrecked, or where any Wreck of the Sea

or

or Goods shall be cast on Shore, and for his Agent, and also for the Owner or Master of any such Ship or Vessel, and for the Owners of any such Goods, or of any Part thereof, and for any Officer of the Customs or Excise, and other Officer, and for all Persons whatsoever employed or acting in aid of or in the assisting of any such Deputy Vice Admiral, Officer, Master or Owner as aforesaid, in the saving or recovering any such Ship or Vessel, or the Cargo, Stores, Tackle or other Articles belonging to the same, or the preserving the Lives of the Crew or Persons belonging thereto, or of any Wreck as aforesaid, to pass and repass with their Horses, Carts, Carriages or Servants over any Lands near to the Part of the Sea Coast where such Vessel shall be so wrecked or stranded, or on which such Wreck shall be cast, without Interruption or Obstruction by the Owner or Occupier thereof, for the Purpose of rendering Assistance in saving, recovering and preserving any such Ship or Vessel, or Goods or Stores; or any Cables, Anchors, Spars, Masts, Cordage or other Tackle or Articles belonging to any Ship or Vessel, or for saving or otherwise assisting in preserving the Lives of the Crew, or of any Persons on board of any such Ship or Vessel, or for the taking possession of, and securing, for the Benefit of the Owners thereof, of any Wreck or Goods, or other Things cast on Shore, or found on Shore, or found near thereto, provided there shall be no Road by which the Parties may pass and repass with as much Convenience and Expedition as over such Lands, and also to place any Planks, Timber, or any Part of the Wreck, or any Goods or Stores removed or saved from any such Ship or Vessel, or any other Wreck or Goods aforesaid, upon any such Land for a reasonable time, until they can be removed to some Warehouse or safe Place of Deposit, making Compensation to the Occupier of such Lands for any Damage done by the means aforesaid, which Compensation shall be a Charge upon the Wreck or Goods in respect whereof the Damage may be done, in like manner as Salvage; and in case the Parties cannot agree as to the Amount thereof, then the same shall be ascertained and settled by Two Justices of the Peace, or of a Third Person to be named by them, in such manner, and within such times as the amount of Salvage is directed to be ascertained and settled by the said recited Act in the Forty ninth Year of His said Majesty's Reign.

V. And be it further enacted, That if any Owner or Occupier of any Land or Premises, over which any Person is authorized by this Act to pass and repass, for any of the Purposes in this Act before mentioned, shall interrupt, impede or hinder any such Person from passing over his Land or Premises with Horses, Carts, Carriages and Servants, for the Purposes in this Act before mentioned, or any or either of them, by locking his Gates, or refusing upon Request to open the same, or otherwise, or shall obstruct or hinder the placing any Wreck, Goods, Stores or other Articles upon his Land, or shall prevent their remaining there for a reasonable time until the same can be removed to some Warehouse or safe Place of public Deposit, such Occupier shall forfeit and pay to any Person who will sue for the same the Sum of One hundred Pounds, to be recovered by Action of Debt.

Refusing Persons  
so employed to  
pass over Land.

Penalty.

VI. And whereas Questions have arisen as to the Jurisdictions of the Courts of Record at *Westminster*, and of the High Court of Admiralty, in cases of Salvage of Ships and Goods performed between

where Vessels  
are wrecked for  
Preservation of  
Wreck, &c.

Questions of Salvage within Jurisdiction of High Court of Admiralty or Courts at Westminster.

In case of Damage done by Foreign Vessel in Harbour, &c. Vessel may be arrested until the Owners, &c. shall undertake to appear Defendant in Action.

Penalties how recovered, &c.

‘ between High and Low Water Mark;’ Be it therefore enacted, That any Question in relation to Salvage of any Ship or Vessel, or of any Goods, which shall be performed between High and Low Water Mark, shall, from and after the passing of this Act, be and be deemed to be within the Jurisdiction or Cognizance of the High Court of Admiralty or of His Majesty’s Courts of Record at *Westminster*; any thing in any Act or Acts of Parliament to the contrary notwithstanding.

VII. And be it further enacted, That in every case in which any Damage shall be done by any Foreign Ship or Vessel to any *British* Ship or Vessel, Barge, Boat or other Craft, or any Buoy or Beacon in any Harbour, Port, River or Creek, and it shall appear on a summary Application made to any Judge of any of His Majesty’s Courts of Record at *Westminster*, or to the Judge of the High Court of Admiralty respectively, that such Damage or Loss has probably been sustained or arisen by the Misconduct or Negligence of the Master or Mariners of such Foreign Ship or Vessel, then and in such case it shall be lawful for such Judge to cause such Foreign Ship or Vessel, being in any Harbour, Port, River or Creek, to be arrested and detained until the Master or Owner or Consignee, or some Agent of the Owner, Master or Consignee of such Ship or Vessel, shall undertake to appear and be Defendant in any Action which may be brought for such Loss or Damage, and give such sufficient Security, by Bail or otherwise, for all Costs and Damages if recovered, as shall be directed and ordered by such Judge, if it shall, upon the Trial of such Action or Suit, appear that such Loss or Damage shall have arisen from such Negligence or Misconduct as aforesaid; and in such Action or Suit the Person giving Security shall be made Defendant, and shall be stated to be the Owner of the Foreign Ship or Vessel doing such Damage; and it shall not be necessary in any such Action or Suit to give any other Evidence of the Liability of such Person to such Action or Suit, than the Production of the Order of the Judge, made in relation to such Security as aforesaid.

VIII. And be it further enacted, That all Penalties and Forfeitures above the Sum of Twenty Pounds, or which by the said Acts or any or either of them, or by this Act, are made to be recoverable by Action or Suit, shall and may be sued for and recovered in any of His Majesty’s Courts of Record at *Westminster*.

### C A P. LXXXVIII.

An Act to substitute a Declaration in lieu of an Oath in the Verification of the Books of Persons dealing in certain Exciseable Articles.

[2d July 1813.]

20 G. 1. c. 10.

§ 35.

‘ WHEREAS by an Act made in the Tenth Year of the Reign of His late Majesty King *George* the First, among other things, for repealing certain Duties therein mentioned, payable upon Coffee, Tea, Cocoa Nuts, Chocolate and Cocoa Paste imported, and for granting certain Inland Duties in lieu thereof, it is enacted, that, for the better ascertaining the Quantities of all Coffee, Tea, Cocoa Nuts and Chocolate, which shall from time to time be sold, all Sellers and Dealers therein or in any of them, and all Makers of Chocolate, and all Coffee-house Keepers and Chocolate-house Keepers who shall sell or consume the same in small Quantities under

‘ the

the Weight of Six Pounds, shall keep an Account of all such  
 Coffee, Tea, Chocolate and Cocoa Nuts which they or any of them  
 respectively shall sell or consume in small Quantities in each Day,  
 and shall every Night enter in a Book to be kept for that Purpose  
 an Account of the Gross Quantities of the said several Com-  
 modities which have been by him, her or them respectively so  
 retailed or consumed in that Day in small Quantities under the said  
 Weight of Six Pounds, and shall also keep One other Book  
 wherein they shall respectively enter each Parcel of Coffee, Tea,  
 Cocoa Nuts or Chocolate above the Weight of Six Pounds, which  
 they shall respectively sell in each Day, and that the said Books  
 shall be prepared and delivered in manner in the said Act in that  
 Behalf mentioned and prescribed; and when the said Books in their  
 Custody shall be filled up, the same shall from time to time be  
 returned to the respective Officer or Officers in that behalf men-  
 tioned in the said Act, upon Oath (or in case of a Quaker, upon  
 the solemn Affirmation of such Sellers or Dealers as aforesaid), or  
 his, her or their Servant or Servants who kept the same and made  
 the Entries therein, of the Truth of such Entries according to  
 the best of his, her or their Knowledge and Belief, and that One  
 or more new Book and Books shall thereupon be delivered to such  
 respective Sellers or Dealers in the Room of such Book or Books  
 so returned, and so *toties quoties* as often as such Book or Books  
 shall be filled up with such Entries: And whereas by another Act,  
 made in the Twenty sixth Year of His present Majesty's Reign, <sup>26 G. 3. c. 59.</sup>  
 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,* it is enacted,  
 that all Dealers in and Sellers of Foreign Wine shall from time to  
 time keep an Account of all Foreign Wine which they or any of  
 them respectively shall sell, send out or consume in each Day, in  
 small Quantities under Three Gallons, expressing the Number of  
 Gallons or Bottles so sent out or consumed, and shall every Day  
 enter into a Book to be kept for that Purpose an Account of the  
 gross Quantities of the said Foreign Wine which have been by him,  
 her or them respectively so sold, sent out or consumed in the pre-  
 ceding Day, in small Quantities under Three Gallons, and that such  
 Dealers in or Sellers of Foreign Wine shall also keep One other  
 Book wherein they shall respectively enter each Parcel of Foreign  
 Wine, of the Quantity of Three Gallons or more, which they  
 shall respectively sell or send out in each Day, expressing the  
 Number of Gallons or Bottles so sold or sent out, and that the  
 said last mentioned Book shall be prepared and delivered in manner  
 in the said last mentioned Act in that Behalf mentioned and pre-  
 scribed; and that it is by the said last mentioned Act provided that  
 when the said Books in the Custody of such Dealer or Dealers, or  
 Seller or Sellers, shall be filled up, the same shall from time to time  
 be severally returned to the respective Officers in that Behalf men-  
 tioned in the said last mentioned Act, and the Truth of the Entries  
 made therein verified upon the Oath of such Dealer or Dealers, or  
 Seller or Sellers, or his, her or their Servant or Servants who kept  
 the same and made the Entries therein, according to the best of his,  
 her or their Knowledge and Belief, and that One or more new  
 Book or Books shall thereupon be delivered to such respective  
 Dealers

§ 26.



29 G. 3. c. 68.

§ 104.

§ 103.

Dealers in or Sellers of Foreign Wine in the room of such Book  
 or Books so returned, and so *toties quoties* as often as such Book  
 or Books shall be filled up with such Entries: And whereas by  
 another Act made, in the Twenty ninth Year of His present  
 Majesty's Reign, intituled *An Act for repealing the Duties on  
 Tobacco and Snuff, and for granting new Duties in lieu thereof*, it is  
 enacted, that all and every Manufacturer and Manufacturers of and  
 Dealer and Dealers in Tobacco shall from time to time keep an  
 Account of all Tobacco and Tobacco Stalks which he, she or they  
 respectively shall from time to time sell, send out or consume  
 according to the Denominations thereof, thereinafter specified, and  
 shall every Day enter into a Book or on a Paper to be kept for that  
 Purpose, an Account of the Quantities of the unmanufactured  
 Tobacco, Tobacco Stalks, Short-cut Tobacco, Shag Tobacco,  
 Roll Tobacco, Carrot Tobacco, *Spanish* and Returns of Tobacco,  
 which shall have been by him, her or them sold, sent out or consumed  
 in the preceding Day in Quantities of Four Pounds Weight or  
 upwards; and that all and every Dealer and Dealers in Tobacco  
 shall also every Day enter into another Book or on another Paper  
 to be kept for that Purpose by him, her or them, an Account of  
 the Quantities of Short-cut Tobacco, Shag Tobacco, Roll To-  
 bacco, Carrot Tobacco, *Spanish* and Returns of Tobacco, under the  
 Weight of Four Pounds which shall have been by him, her or them  
 sold, sent out or consumed in the preceding Day, in Quantities under  
 Four Pounds Weight; and that all and every Manufacturer and  
 Manufacturers of and Dealer and Dealers in Snuff shall also from  
 time to time keep an Account of all Tobacco, Tobacco Stalks,  
 Tobacco Stalks for Tobacco Stalk Flour, Snuff Work, Tobacco  
 Stalk Flour and Snuff, which he, she or they respectively shall from  
 time to time sell, send out or consume according to the Denominations  
 thereof thereinafter mentioned, and shall every Day enter into a Book  
 or on a Paper to be kept by him, her or them, an Account of the  
 Quantities of the unmanufactured Tobacco, Tobacco Stalk, To-  
 bacco Stalks for Tobacco Stalk Flour, Snuff Work for Rappee  
 Snuff, Snuff Work for *Scotch* Snuff, Snuff Work for *Brown Scotch*  
 Snuff, *British* Rappee Snuff, *Scotch* Snuff, *Brown Scotch* Snuff,  
 Tobacco Stalk Flour and Foreign Snuff, which shall have been by  
 him, her or them sold, sent out or consumed in the preceding Day  
 in Quantities of Two Pounds Weight or upwards; and that all and  
 every Dealer and Dealers in Snuff shall also every Day enter into  
 another Book or on another Paper to be kept for that Purpose by  
 him, her or them, an Account of the Quantities of *British* Rappee  
 Snuff, *Scotch* Snuff, *Brown Scotch* Snuff and Foreign Snuff, which  
 shall have been by him, her or them sold, sent out or consumed in the  
 preceding Day in Quantities under Two Pounds Weight; and that  
 the said Books or Papers respectively shall be prepared and delivered  
 in manner in the said last mentioned Act in that Behalf mentioned  
 and prescribed; and it is by the said last mentioned Act provided,  
 that the said Books or Papers shall be severally returned in manner  
 in the said last mentioned Act directed and prescribed, and that the  
 Truth of the Entries made therein shall then be verified upon the  
 Oath of such Manufacturer or Manufacturers, or Dealer or Dealers,  
 or his, her or their Servant or Servants who kept the same and made  
 the Entries therein, according to the best of his, her or their  
 Knowledge.



Knowledge and Belief, and that when and so soon as any such Book or Books, Paper or Papers shall be filled up, or sooner if the proper Officer of Excise in that Behalf shall demand the same, such Book or Books or Paper or Papers respectively shall be returned to the proper Officer of Excise in that Behalf for the time being, and that the Truth of the Entries made therein shall then be verified upon the Oath in manner aforesaid, and that One or more new Book or Books or Paper or Papers shall be delivered to such respective Manufacturers and Dealers, upon any such Book or Books or Paper or Papers being so filled up or returned in the room of such Book or Books or Paper or Papers so filled up or returned, and so *toties quoties* as often as such Book or Books or Paper or Papers shall be so filled up or returned: And whereas it is expedient to substitute the Declarations hereinafter prescribed in lieu and instead of the said Oaths respectively; 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 eight hundred and thirteen, no such Verification on Oath as is hereinbefore mentioned shall be made or required; and when any or either of the Books or Papers hereinbefore mentioned shall be returned to the Officer or Officers in the said recited Acts in that Behalf respectively mentioned, the Truth of the Entries made in every such Book or Paper so returned shall be verified upon the Declaration in Writing of and subscribed by the Seller of or Dealer or Dealers in Coffee, Tea, Cocoa Nuts or Chocolate, or Dealer or Dealers in or Seller or Sellers of Foreign Wine, or Manufacturer or Manufacturers of or Dealer or Dealers in Tobacco, or Manufacturer or Manufacturers of or Dealer or Dealers in Snuff, as the case may require, with his, her or their proper Name in the Presence of such Officer or Officers; and if any such Dealer or Dealers in Coffee, Tea, Cocoa Nuts or Chocolate, or Dealer or Dealers in or Seller or Sellers of Foreign Wine, or Manufacturer or Manufacturers of or Dealer or Dealers in Tobacco, or Manufacturer or Manufacturers of or Dealer or Dealers in Snuff, shall neglect or refuse to verify upon his, her or their Declaration in Writing the Truth of any such Entry or Entries as aforesaid made in any such Book, or on any such Paper, or to subscribe any such his, her or their Declaration in manner aforesaid, or shall make or subscribe any false or untrue Declaration in Writing as or for any Declaration in Writing prescribed or required by this Act, the Dealer or Dealers in Coffee, Tea, Cocoa Nuts or Chocolate, or Dealer or Dealers in or Seller or Sellers of Foreign Wine, or Manufacturer or Manufacturers of or Dealer or Dealers in Tobacco, or Manufacturer or Manufacturers of or Dealer or Dealers in Snuff, as the case may require, so offending, shall, for each and every such Offence, severally forfeit and lose the Sum of One hundred Pounds.

Verification on Oath under recited Acts not required, but a Declaration to be made in lieu.

Penalty.

Penalty.

II. And whereas no Sellers of or Dealers in Coffee, Tea, Cocoa Nuts or Chocolate, nor any Dealers in or Sellers of Foreign Wine, nor any Manufacturers of or Dealers in Tobacco or Snuff, are by Law bound to enter on the Demand of the proper Officer or Officers of Excise under whose Survey such Sellers, Dealers or Manufacturers respectively shall from time to time be, the said Quantities of the said several Commodities hereinbefore in that Behalf

Certain Dealers  
to make Entries  
in Books on  
being required  
by Excise Office.

Penalty.

Penalties how  
recovered, &c.

‘ Behalf respectively mentioned in such their respective Books, and it  
‘ is therefore expedient to make such Provision as is hereinafter men-  
‘ tioned :’ Be it therefore enacted, That all and every Seller or  
Sellers of and Dealer or Dealers in Coffee, Tea, Cocoa Nuts or  
Chocolate, all and every Dealer or Dealers in and Seller or Sellers of  
Foreign Wine, and all and every Manufacturer or Manufacturers  
of and Dealer or Dealers in Tobacco or Snuff respectively, as the  
case may require, shall, on the Demand of any Officer or Officers of  
Excise under whose Survey he, she or they shall then be, enter into  
the said Books or on such Papers respectively the Quantities of the said  
several Commodities which such Seller or Sellers, or Dealer or Dealers,  
or Manufacturer or Manufacturers respectively is or are by the said  
recited Acts respectively required to enter at the respective times in the  
said recited Acts respectively mentioned, in the Book or Books or  
Paper or Papers in that Behalf respectively mentioned in the said  
recited Acts, and shall also immediately afterwards, if demanded by  
such Officer or Officers, return every such Book or Paper to the  
Officer or Officers in the said recited Acts in that Behalf respectively  
mentioned; and the Truth of the Entries made in every such Book  
or Paper so returned shall then be verified upon such Declaration as  
aforesaid, under the Penalty of One hundred Pounds for every Neglect  
or Refusal to enter the Quantity or Quantities of any of the said Com-  
modities which any such Seller or Sellers, or Dealer or Dealers, or  
Manufacturer or Manufacturers is or are so required to enter or to  
return any such Book or Books or Paper or Papers in manner last  
aforesaid.

III. And be it further enacted, That all 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  
can 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* 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.

### C A P. LXXXIX.

An Act for the more regular Conveyance of Writs for the  
Election of Members to serve in Parliament. [2d July 1813.]

**F**OR the more expeditious and regular Conveyance of Writs for  
the Election of Members to serve in Parliament, be it enacted by  
the King’s Most Excellent Majesty, by and with the Advice and  
Consent of the Lords Spiritual and Temporal, and Commons, in this  
present Parliament assembled, and by the Authority of the same,  
That when any new Parliament shall at any time hereafter be  
summoned or called, as also in all cases of Vacancy during this present  
or any future Parliament, the Messenger or Pursuivant of the Great  
Seal, or his Deputy, shall, after the Receipt thereof, forthwith carry  
such of the said Writs as shall be directed to the Sheriffs of *London*;  
or Sheriff of *Middlesex*, to the respective Officers of such Sheriffs or  
Sheriff; and all such other Writs to the General Post Office in  
*London*, and there deliver the same to the Postmaster or Postmasters  
General

Messenger of  
Great Seal to  
carry Writs to  
Sheriffs of Lon-  
don and Middle-  
sex; and all  
other Writs to  
Postmaster  
General, who  
shall forward  
same.

General for the time being, or to such other Person or Persons as the said Postmaster or Postmasters General shall depute to receive the same (and which Deputation they are hereby respectively required to make), who on Receipt thereof shall give an Acknowledgment in Writing of such Receipt to the said Messenger or his Deputy, from whom the same shall be received, expressing therein the time of such Delivery, and shall keep a Duplicate of such Acknowledgment, signed by the Parties respectively to whom and by whom the same shall be so delivered; and the said Postmaster or Postmasters General, or such their Deputy or Deputies, shall dispatch all such Writs, free from the Charges of Postage (which they are hereby authorized to do), by the First Post or Mail after the Receipt thereof, under Covers, respectively directed to the proper Officer or Officers to whom the said Writs shall be respectively directed, and to no other Person whomsoever, accompanied with proper Directions to the Postmaster, or Deputy Postmaster of the Town or Place, or nearest to the Town or Place where such Officer or Officers shall hold his or their Office, requiring such Postmaster or Deputy Postmaster forthwith to carry such Writs respectively to such Office, and to deliver the same there to such Officer or Officers to whom the same shall be respectively directed, or to his or their Deputy or Deputies, who are hereby respectively required to give to such Postmaster or Deputy Postmaster a Memorandum in Writing, under his or their Hand or Hands, acknowledging the Receipt of every such Writ, and setting forth the Day and Hour the same was delivered by such Postmaster or Deputy Postmaster, which Memorandum shall also be signed by such Postmaster or Deputy Postmaster, who are hereby required to transmit the same by the First or Second Post afterwards, to the said Postmaster or Postmasters General, or their respective Deputies at the said General Post Office in *London*, who are hereby required to make an Entry thereof in a proper Book for that Purpose, and to file and keep such Memorandum along with the Duplicate of the said Acknowledgment, signed by the said Messenger as aforesaid, to the Intent that the same may be inspected or produced upon all proper Occasions, by any Person interested in such Elections.

II. And, that the said Postmasters General may be duly informed where such Officers to whom such Writs shall be respectively directed, hold their respective Offices for the Purposes aforesaid, be it further enacted by the Authority aforesaid, That the Chancellor of the County Palatine of *Lancaster*, the Lord Bishop of *Durham*, or his temporal Chancellor of the County Palatine of *Durham*, the Chamberlain of the County Palatine of *Chester*, the Warden of the Cinque Ports, the Sheriffs and Stewarts of the several Cities, Counties and Stewartries, and all other Persons to whom such Writs for the Election of Members to serve in Parliament, ought to be and are usually directed, or their respective Lieutenants or Deputies, shall, within One Month after the passing of this Act, severally send up to the said Postmasters General an Account of the City, Town or Place where they shall hold their respective Offices for the Purpose aforesaid, specifying in such Account such Particulars as shall be necessary to ascertain the particular Situation of such respective Offices, and so from time to time, with all convenient Speed, as often as the Places for holding such Offices shall be changed; and also an Account of such General Post Town or Place as

Sheriffs, &c. to give Notice to Postmasters General of Place where they shall hold their Offices.

shall be nearest to such Offices respectively, in case such respective Offices shall not be in any General Post Town or Place; and the said Postmasters General shall make or cause to be made a List of such Places, and cause the same to be hung up and kept in some public Place in the General Post Office aforesaid.

Where Sheriffs hold Office in or near Capital, such Notice sent to Messenger of Great Seal.

III. Provided always, and be it further enacted, That in all cases where any such Sheriff or other Person to whom such Writs ought to be directed, shall hold his Office within the Cities of *London* or *Westminster*, or the Borough of *Southwark*, or within Five Miles thereof, such Sheriff or Officer shall send such Account as aforesaid of the Place where he shall hold such Office, to the Messenger of the Great Seal, instead of the said Postmaster General; and the said Messenger or his Deputy shall carry all such Writs to such Office, in like manner as is hereinbefore directed in the case of the Sheriffs of *London* and *Middlesex*.

Certain Profits retained during Life of present Messenger.

IV. And whereas certain Profits now arise to the Messenger of the Great Seal, from Allowances made to him under the Head of Mileage, for the Conveyance of such Writs, which Allowances are paid him from the Hanaper Office; Be it further enacted, That such Allowances shall not be taken away or any ways affected by this Act, during the Life of the present Messenger of the Great Seal; but shall after his Decease utterly cease and determine; saving and excepting an Allowance of Two Guineas on each Writ for the Election of a Member to serve in Parliament on any Vacancy, and of the Sum of Fifty Pounds on the calling of a new Parliament; which Allowances shall be paid to every Messenger of the Great Seal to be hereafter appointed, from the Hanaper Office, in like manner as the present Allowances for Mileage are now paid.

520l. annually paid Messenger for Life, in lieu of certain Fees.

V. And whereas the Messenger of the Great Seal and his Deputy have from time to time received certain other Fees for the Conveyance and upon the Delivery of Writs for the Election of Members to serve in Parliament; Be it enacted, That all such Fees shall utterly cease and determine from the passing of this Act; and that neither the said Messenger, nor his Deputy, nor any other Person, shall receive or take any Fee, Reward or Gratuity whatsoever, for the Conveyance or Delivery of any such Writ; and that the Lords Commissioners of His Majesty's Treasury shall direct the annual Sum of Five hundred and twenty Pounds to be paid out of the Consolidated Fund to the present Messenger of the Great Seal during the Continuance of his Life, in Compensation for all such Fees.

Neglecting to deliver Writ.

Misdemeanor.

VI. And be it further enacted, That every Person concerned in the Transmitting or Delivery of any such Writ as aforesaid, who shall wilfully neglect or delay to deliver or transmit any such Writ, or accept any Fee, or do any other Matter or Thing in Violation of this Act, shall be guilty of a Misdemeanor, and may, upon any Conviction upon any Indictment or Information in His Majesty's Court of King's Bench, be fined and imprisoned at the Discretion of the Court for such Misdemeanor.

Offences in Scotland how punished.

VII. And be it enacted, That every Person who shall commit in *Scotland* any Offence against this Act, which is hereby declared to be a Misdemeanor, shall be liable to be punished by a Fine or Imprisonment, as the Judge or Judges before whom such Offender shall be tried and convicted may direct.

C A P.

## C A P. XC.

An Act to revive and continue, until the Twenty fifth Day of *March* One thousand eight hundred and fourteen, and amend so much of an Act, made in the Thirty ninth and Fortieth Year of His present Majesty, as grants certain Allowances to Adjutants and Serjeant Majors of the Militia of *England*, disembodied under an Act of the same Session of Parliament.

[2d July 1813.]

WHEREAS it is expedient that an Act, passed in the Thirty ninth and Fortieth Year of the Reign of His present Majesty, intituled *An Act for granting, until the Twenty fifth Day of March One thousand eight hundred and one, certain Allowances to Adjutants, Serjeant Majors and Serjeants of Militia, disembodied under an Act of this Session of Parliament, intituled An Act for enabling His Majesty to accept the Services of an additional Number of Volunteers from the Militia under certain Restrictions*, which has been revived and continued by several subsequent Acts until the Twenty fifth Day of *March* One thousand eight hundred and thirteen, should be again revived and further continued, so far as the same relates to Adjutants and Serjeant Majors; 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 recited Act and the Allowances therein granted and mentioned to Adjutants and Serjeant Majors, and all the Provisions relating thereto, shall be revived from the said Twenty fifth Day of *March* One thousand eight hundred and thirteen, and be further continued until the Twenty fifth Day of *March* One thousand eight hundred and fourteen, so far as the same relates to Adjutants and Serjeant Majors; and that all such and the like Allowances as would have been payable and paid unto any Adjutants and Serjeant Majors, if the said Act and Allowances had been continued by any Act of Parliament before the said Twenty fifth Day of *March* One thousand eight hundred and thirteen, shall be payable and paid, and all Arrears thereof fully satisfied, in like manner in every respect as if this Act had passed before the said Twenty fifth Day of *March* One thousand eight hundred and thirteen.

39 & 40 G. 3.  
c. 44.

Revived and continued till March 25, 1814, as to Adjutants, &c.

II. And be it further enacted, That every reduced Adjutant entitled to any Allowance under this Act may receive and take such Allowance, together with the Pay of any such Commission, or Half Pay, or any such other Allowance or Emolument, as is allowed to be held or received by any Adjutant of any Militia in that Part of *Great Britain* called *England*, together with any Pay or Allowance to which he may be entitled as such Adjutant; Provided always, that no such reduced Adjutant shall be entitled to receive any Allowance under this Act during the time he shall hold any Place of Profit, Civil or Military, under His Majesty, other than such as aforesaid,

Reduced Adjutants entitled to Pay as well as Allowance under Act.

C A P.

## C A P. XCI.

An Act for making Allowances in certain Cafes to Subaltern Officers of the Militia in *Great Britain*, while difembodied.

[2d July 1813.]

‘ WHEREAS it is expedient to make some Addition to the Pay of certain Subaltern Officers of the Militia Forces in *Great Britain*, while difembodied, 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 afsembled, and by the Authority of the fame, That, from and after the paffing of this Act, the following annual Allowances, over and above the Pay to which they are now by Law entitled, during the time of annual Exercife, shall be made and paid to the Amount, under the Restrictions, and in the manner hereinafter expreffed, to every Subaltern Officer now bearing a Commiffion and ferving in the Militia of *Great Britain*, who shall continue faithfully to ferve in the fame Corps, or who previously to the Expiration of Three Months from the paffing of this Act shall be duly appointed to a Commiffion, and shall continue faithfully to ferve in the embodied Militia, and in the fame Corps until the difembodying thereof; that is to fay, to a Lieutenant or a Surgeon Twenty five Pounds Eighteen Shillings and Six pence, being at the Rate of One Shilling and Five pence *per Diem* for Three hundred and fixty fix Days; and to an Ensign Twenty one Pounds Seven Shillings, being at the Rate of One Shilling and Two pence *per Diem* for Three hundred and fixty fix Days: Provided always, that all fuch Officers of the Militia as are now ferving with the Rank of Captain Lieutenant shall be deemed to be Lieutenants for the Purpofes of this Act.

Annual Allowances besides Pay during annual Exercife, made to Lieutenants, Surgeons and Ensigns.

Exceptions.

II. Provided alfo, and be it further enacted, That no Perfon who is or shall during the Continuance of this Act become poffeffed of fuch an Eftate or Income as would by Law qualify him to hold the Commiffion of Captain of a Company in the Militia, or who is or shall be appointed Adjutant or Battalion Clerk in any Regiment, Battalion or Corps of Militia, nor any Perfon deriving in any way whatfoever, otherwife than as a Subaltern Officer or Surgeon of the Militia, any Income, Stipend or Allowance whatever from the Public, nor any Officer on Full or Half Pay of the Navy, Army or Marines who shall alfo hold a Subaltern’s or Surgeon’s Commiffion, and have ferved as aforefaid in the Militia, shall have or be in any wife intitled to the faid annual Allowances, or any Part or Share thereof; any thing herein contained to the contrary thereof in any wife notwithstanding.

Subalterns and Surgeons to take

III. And be it further enacted, That the Subaltern Officers and Surgeons of the Militia, who shall claim under the Authority of this Act to receive any Part of the faid annual Allowances, shall previous to receiving the fame, and in order to entitle themfelves thereto, take and fubfcribe an Oath before fome One of His Majesty’s Juftices of the Peace for the County, Riding, Stewartry, City or Place, to which the Regiment, Battalion, Corps or Independent Company



Company in which they serve shall belong, in the Words or to the Effect following; *videlicet*,

‘ I *A. B.* do swear, That I belonged to the  
 ‘ of Militia when the same was difembodied,  
 ‘ and that I have continued to serve therein from that time until the  
 ‘ Day of inclusive, as a [Captain  
 ‘ Lieutenant, Lieutenant, Ensign, or Surgeon, *as the case may be*],  
 ‘ and that I was not, in my own Right or in Right of my Wife,  
 ‘ during the said Period, in the actual Possession and Enjoyment or  
 ‘ Receipt of the Rents and Profits of Lands, Tenements or Heredi-  
 ‘ taments of such an annual Value above Reprises, as would qualify  
 ‘ me to hold a Commission of Captain of a Company in the  
 ‘ Militia; that I have not, during the above Period, held the  
 ‘ Appointment of Adjutant or Battalion Clerk in any Regiment,  
 ‘ Battalion or Corps of Militia; that I did not hold or enjoy, nor  
 ‘ did or has any Person for me hold or enjoy, or held or enjoyed,  
 ‘ during the said Period, any Office or Income whatsoever from  
 ‘ the Public, except my Pay as  
 ‘ for the Period of the Corps having assembled  
 ‘ to be trained and exercised; and that I was not entitled during  
 ‘ the said Period either to the Full or Half Pay of the Navy, Army  
 ‘ or Marines. So help me GOD.’

Oath.

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, Battalion, Corps or Independent Company of Militia in which such Subaltern Officer or Surgeon shall be then serving, shall belong, if in *England*, or to the Receiver General for *Scotland*, if in *Scotland*, to be by him filed and preserved for the Purposes hereinafter mentioned.

Justices to transmit Oaths to Receiver General of Land Tax for County.

IV. And be it further enacted, That every Subaltern Officer and Surgeon 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, Battalion, Corps or Independent Company to which he belongs, during the Whole of the time by Law appointed for that Purpose, and shall during the said time punctually do and perform his Duty as a Subaltern Officer or Surgeon of such Regiment, Battalion, Corps or Independent Company, 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, Battalion, Corps or Independent Company to which he may belong, shall be transmitted by the said Commanding Officer to the Lieutenant of the County, Riding, Stewartry, City or Place, to which the said Regiment, Battalion, Corps or Independent Company of Militia, shall belong, and also to the Receiver General of such County, Riding or Place, if in *England*, or to the Receiver General for *Scotland*, if in *Scotland*: Provided always, that in case any such Subaltern Officer or Surgeon 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

Subalterns and Surgeons to attend annual Exercise.

Penalty.

Certificates of Attendance transmitted by Commanding Officer to Lieutenant and Receiver General of County. Leave of Absence, Reason for granting inserted in Certificate.

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 or Surgeon 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 Certificates (in lieu of those before mentioned), to be signed by the Commanding Officer, and to be transmitted as soon as conveniently may be to the Lieutenant of the County, Riding, Stewartry, City or Place, to which the Regiment, Battalion, Corps or Independent Company, wherein such Subaltern or Surgeon shall be serving, shall belong, and also to the Receiver General of the same County, Riding or Place, if in *England*, or to the Receiver General for *Scotland*, if in *Scotland*.

Militia not called out to annual Exercise. Subalterns and Surgeons still entitled to Allowance.

V. Provided always, and be it further enacted, That in case any Regiment, Battalion, Corps or Independent Company of Militia, after the disembodiment thereof, and before the respective Days hereinafter fixed for the Half-yearly Payment of the said annual Allowances, shall not be called out for the annual Exercise and Training thereof, every Subaltern Officer and Surgeon belonging to any such Regiment, Battalion, Corps or Independent Company, 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 or Surgeon had regularly attended the annual Exercise and Training of such Regiment, Battalion, Corps or Independent Company, during the Whole of the time by Law appointed for that Purpose, and as if a Certificate of such Attendance, signed by the Commanding Officer of the said Regiment, Battalion, Corps or Independent Company, had been transmitted to the Lieutenant of the County, Riding, Stewartry, City or Place to which such Regiment, Battalion, Corps or Independent Company shall belong, and also to the Receiver General of the same County, Riding or Place, if in *England*, or to the Receiver General for *Scotland*, if in *Scotland*, according to the Directions of this Act; any thing contained in this Act to the contrary hereof notwithstanding.

Allowances paid without Deductions.

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, Battalion, Corps or Independent Company 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, it shall and may be lawful for such Receivers General, and they are hereby authorized and required to pay to the said Subaltern Officers and Surgeons, according to their respective Commissions of Lieutenant, Ensign or Surgeon, in Addition to their Pay, for the time of Training and Exercise, One Moiety of the annual Allowance above mentioned on the Twenty fourth Day of *September* next, and the other Moiety of the same on the Twenty fourth Day of *March* One thousand eight hundred and fourteen, without any Deduction whatsoever, out of any Public Monies in their Hands, and to charge the same in their respective annual Accounts of Money disbursed for the Use of the Public; the Certificates before mentioned to be

by



by them preserved and produced among the Vouchers for the Payments from time to time made by them in pursuance of this Act.

VII. And be it further enacted, That the Subaltern Officers and Surgeons 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, Battalions, Corps or Independent Companies 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 or Surgeon shall at any time wilfully neglect or refuse to attend, and perform his Duty at the annual Exercise as before directed, and at such other times, or for such other Occasions, as may be required of him in pursuance of the Laws now in force respecting the Militia when disembodied, each and every such Subaltern Officer and Surgeon shall, upon such Neglect or Refusal being certified to the Lord Lieutenant by the Colonel or other Commandant of the Regiment, Battalion, Corps or Independent Company to which such Subaltern or Surgeon shall belong, forfeit his Claim to the said annual Allowance, and every Part thereof, and shall also be considered as having resigned and vacated his Commission, to all Intents and Purposes whatsoever.

Subalterns and Surgeons not attending when called upon.

Penalty.

VIII. And be it further enacted, That the said several annual Allowances shall be paid to the Persons respectively entitled thereto, by the Receiver General of the Land Tax in *England*, and the Receiver General for *Scotland* respectively, upon the Production of the before mentioned several Certificates, on or as soon after the Twenty fourth Day of *September* next, and the Twenty fourth Day of *March* One thousand eight hundred and fourteen respectively, as may be convenient and practicable; Provided always, that nothing in this Act contained shall extend, or be construed to extend, to entitle any Subaltern Officer or Surgeon as aforesaid to the said annual Allowance, or any Part thereof, during the time the Militia to which he belongs shall be embodied or ordered 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; or to more than Five Lieutenants in any Regiment, Battalion or Corps, consisting of Six or of a less Number of Companies, except where the Companies consist of Ninety Private Men each or upwards, in which case this Act, and the Benefits and Allowances therein contained, may be extended to Eighteen Lieutenants in any Regiment consisting of more than Ten Companies; to Sixteen Lieutenants in any Regiment consisting of more than Eight and less than Eleven Companies; to Fourteen Lieutenants in any Regiment consisting of more than Six and less than Nine Companies; and to Nine Lieutenants in any Regiment, Battalion or Corps, consisting of Six or of a less Number of Companies.

Allowances paid by Receiver General on Production of Certificates;

not paid while Militia embodied.

Allowances to extend only to a certain Number.

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 be a greater Number of Lieutenants coming within the Description of this Act than can be entitled to claim the Benefits thereof,

Senior Lieutenants to have Preference, and Junior to succeed on Vacancies.

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.

Continuance of  
Act.

X. And be it further enacted, That this Act shall continue in force until the Twenty fifth Day of *March* One thousand eight hundred and fourteen, and no longer.

### C A P. XCII.

An Act for the Removal of Doubts respecting the Powers of Archbishops and Bishops in *Ireland*, as to demising the Mensal Lands, not being Demesne Lands, to their respective Sees belonging. [2d July 1813.]

15 G. 2. (1.)  
c. 5. § 2.

19 G. 2. (1.)  
c. 16. § 1.

‘ **W**HEREAS by an Act made by the Parliament of *Ireland* in  
‘ the Fifteenth Year of the Reign of His late Majesty King  
‘ *George* the Second, intituled *An Act to enable Archbishops and Bishops*  
‘ *to demise Part of their Demesne Lands and to change the Site of their*  
‘ *Mansion Houses*; and also by an Act made by the said Parliament  
‘ in the Nineteenth Year of the said Reign, entitled *An Act for*  
‘ *amending the Laws in relation to Demesne Lands belonging to*  
‘ *Archbishops, and in relation to the Building of New Parish Churches*;  
‘ Provision was made for the Appointment of Commissioners to be  
‘ empowered to view the Demesne or Mensal Lands belonging to any  
‘ Archbishop or Bishop of the said Kingdom of *Ireland*, to cause  
‘ Surveys to be taken and Maps to be made thereof respectively, and  
‘ in such Maps to distinguish and set apart such Part of such Lands  
‘ in any Diocese for which such Commissioners should be appointed,  
‘ as to them should appear fit and sufficient (not less than Two  
‘ hundred and fifty Acres Plantation Measure), as and for a Demesne  
‘ for the Archbishop or Bishop of such Diocese and his Successors,  
‘ and to certify the same in the manner and to the Persons by the  
‘ said Act directed: And whereas Power was given by the said  
‘ Act to the Lord Lieutenant or other Chief Governor or Governors  
‘ of *Ireland* for the time being, in the case of an Archbishop and in  
‘ the case of a Bishop to the Archbishop of the Province wherein the  
‘ Diocese of such Bishop was situate in manner therein prescribed,  
‘ and after Return being so made by Commissioners as aforesaid  
‘ to set out and settle a proper Demesne for such Archbishop or  
‘ Bishop respectively, not containing less than Two hundred and fifty  
‘ Acres Plantation Measure, which Lands so set out as Demesne or  
‘ Mensal Lands should always from thenceforth be esteemed and  
‘ taken to be the Demesne or Mensal Lands belonging to the said  
‘ Archbishop or Bishop and his Successors respectively: And it was  
‘ by the said Act further enacted, That it should and might be lawful  
‘ to and for any Archbishop or Bishop, and for the Successors of any  
‘ such Archbishop or Bishop, for whom a Demesne was in such  
‘ manner set apart, to demise the remaining Part of the Demesne  
‘ or Mensal Lands to such Archbishop or Bishop belonging, for such  
‘ Term and Terms as is hereinafter mentioned; that is to say, all  
‘ such Lands as do lie within any Town Corporate, or Market  
‘ Town, or within Half a Mile thereof, for any Term not exceeding  
‘ Forty

' Forty Years in Possession, and all the Rest and Residue of such  
 ' Lands for such Term of Years as by the Laws then in being he  
 ' was empowered to demise other Lands to such Archbishop or  
 ' Bishop belonging; provided always, that the full yearly Value of  
 ' the Lands so to be demised at the time of leasing or demising the  
 ' same without any Fine, should be always reserved to the Arch-  
 ' bishop or Bishop demising the same, and his Successors, upon  
 ' every such Demise: And whereas by another Act, made by the  
 ' Parliament of *Ireland* in the Thirty fifth Year of the Reign of His <sup>35 G. 3. (1.)</sup>  
 ' present Majesty, intituled *An Act to explain and amend an Act passed* <sup>c. 23.</sup>  
 ' *in the Tenth and Eleventh Years of the Reign of King Charles the*  
 ' *First, intituled An Act for Preservation of the Inheritance, Rights*  
 ' *and Profits of Lands belonging to the Church and Persons Ecclesi-*  
 ' *astical, it is enacted, That it should and might be lawful to and* § 1.  
 ' *cetera, from time to time to accept of a Surrender or Surrenders*  
 ' *of any Lease or Leases of any Lands or Hereditaments, and*  
 ' *thereupon to demise such Lands or other Hereditaments belonging*  
 ' *to their respective Sees, Churches, et cetera (the Dwelling Houses*  
 ' *used for any their respective Habitations and Demesne Lands*  
 ' *thereunto belonging, and therewith used and occupied as the*  
 ' *Demesnes of their said Houses, only excepted), unto the Person*  
 ' *or Persons in such manner and Form as by the therein recited Act*  
 ' *of the Tenth and Eleventh of King Charles the First, or by any*  
 ' *other Act then in force, they were enabled to do; provided, that* § 2.  
 ' *the yearly Rent or Profits which should be reserved upon every*  
 ' *such Lease thereafter to be made should not be less than the yearly*  
 ' *Rent or Profits paid and payable thereout for the last Twenty*  
 ' *Years preceding the making of such Lease: And whereas Commis-*  
 ' *sions have issued, and Demesnes have been set apart, pursuant to*  
 ' *the Provisions of the said first recited Act of the Fifteenth Year* <sup>15 G. 2. (1.)</sup>  
 ' *of His late Majesty's Reign in some Diocesef of the said Kingdom* <sup>c. 5.</sup>  
 ' *of Ireland, and Leases for Terms not exceeding Twenty one Years*  
 ' *have at various times been made of the remaining Mensal Lands in*  
 ' *such Diocesef respectively, which Leases or several of them are now*  
 ' *subsisting, and Doubts have been entertained, notwithstanding the*  
 ' *Provisions of the said recited Act of the Thirty fifth Year of the* <sup>35 G. 3. (1.)</sup>  
 ' *Reign of His present Majesty, whether if Surrenders were made* <sup>c. 23.</sup>  
 ' *and accepted of the said Leases so granted as aforesaid of the said*  
 ' *Lands as aforesaid, and if new Leases were granted thereof, such*  
 ' *Leases would be considered valid and effectual in the Law, which*  
 ' *Doubts are prejudicial to the Interests both of the Archbishops and*  
 ' *Bishops to whom such Lands so demised do respectively belong, and*  
 ' *also of the Tenants to whom they are so demised, and it is expedient*  
 ' *that the said Doubts should be removed, and that Power should*  
 ' *unequivocally be given to the said Archbishops and Bishops to*  
 ' *accept of Surrenders of Leases so made, and to demise again the*  
 ' *said Lands as by the said recited Act of the Thirty fifth Year of*  
 ' *His present Majesty's Reign is provided: Be it therefore enacted*  
 ' *by the King's Most Excellent Majesty, by and with the Advice and*  
 ' *Consent of the Lords Spiritual and Temporal, and Commons, in this*  
 ' *present Parliament assembled, and by the Authority of the same, That, from and immediately after the passing of this Act, it shall and*  
 ' *may be lawful to and for any Archbishop or Bishop in Ireland having* <sup>Power of grant-</sup>  
 ' *belonging* <sup>ing Leases.</sup>

belonging to him Menſal Lands ſo ſeparated from a ſufficient and actual Demefne (not leſs than Two hundred and fifty Acres), as by the ſaid recited A&t of the Fifteenth Year of His late Maſteſty's Reign is provided, and for His Succeſſors from time to time, to accept of a Surrender or Surrenders of each and every or any of the Leaſes heretofore made and now outſtanding, or which ſhall hereafter be made of all or any Part of the ſaid Menſal Lands (ſo belonging to him, and over and above the Demefne ſo ſet out for him and his Succeſſors as by the ſaid recited A&ts of the Fifteenth and Nineteenth Years of His late Maſteſty's Reign is directed and appointed), with their and every of their Appurtenances, and thereupon to demife and leaſe the ſame, or any Part or Parts thereof, unto any Perſon or Perſons whomſoever, for any Term not exceeding Twenty one Years from the time of making ſuch Leaſe or Leaſes, provided that there be reſerved upon every ſuch Leaſe, hereafter to be made, a yearly Rent not leſs than the yearly Rent paid and payable thereout for the laſt Twenty Years preceding the making of ſuch Leaſe; any thing in the ſaid recited A&ts of the Fifteenth and Nineteenth Years of the Reign of His late Maſteſty King *George* the Second to the contrary thereof in any wiſe notwithstanding.

## C A P. XCIII.

An A&t for granting to His Maſteſty a Sum of Money to be  
 raiſed by Lotteries. [2d July 1813.]

[60,000 Tickets.]

## C A P. XCIV.

An A&t to grant an additional Duty of Excife on Spirits made  
 or diſtilled from Corn or Grain in *Ireland*. [6th July 1813.]

‘ Moſt Gracious Sovereign,

50 G. 3. c. 15.

‘ **W**E, Your Maſteſty's moſt dutiful and loyal Subjects, the  
 ‘ Commons of the United Kingdom of *Great Britain* and  
 ‘ *Ireland*, in Parliament aſſembled, towards raiſing the neceſſary  
 ‘ Supplies, have freely and voluntarily reſolved to give and grant  
 ‘ unto Your Maſteſty the Duties hereinafter mentioned,’ and do moſt  
 humbly beſeech Your Maſteſty that it may be enacted; and be it  
 enacted by the King's Moſt Excellent Maſteſty, by and with the  
 Advice and Conſent of the Lords Spiritual and Temporal, and  
 Commons, in this preſent Parliament aſſembled, and by the Authority  
 of the ſame, That within and through that Part of the United King-  
 dom called *Ireland* there ſhall be granted, raiſed, levied, collected,  
 paid and ſatiſfied, to and for the Uſe of His Maſteſty, his Heirs and  
 Succeſſors, the ſeveral Duties hereinafter mentioned; that is to ſay,  
 For and upon every Gallon of *Aqua Vita*, Strong Waters or Spirits,  
 which at any time after the paſſing of this A&t ſhall be made or  
 diſtilled in *Ireland* from Corn or Grain, malted or unmalted, or  
 for which any Diſtiller ſhall be chargeable by Law, an additional  
 Duty of Six pence *Britiſh* Currency, over and above all other Duties  
 payable thereon, under and by virtue of any A&t or A&ts of Parliament  
 in force in *Ireland* on or immediately before the paſſing of this A&t,  
 and after the ſame Rate for any greater or leſs Quantity; and  
 which

Additional Duty  
 on Spirits diſ-  
 tilled from Corn  
 6d. per Gallon.

which said additional Duty shall be paid by the first Maker or Distiller of such Spirits.

II. And be it further enacted, That there shall also be granted, raised, levied, collected, paid and satisfied to and for the Use of His Majesty, his Heirs and Successors, for and upon every Gallon of *Aqua Vitæ*, Strong Waters or Spirits, made or distilled from Corn or Grain malted or unmalted in *Ireland*, and which having been warehoused in any of His Majesty's Warehouses or Stores in *Ireland* pursuant to Law, shall, at any time after the passing of this Act, be taken out for Home Consumption in *Ireland*, the Sum of Six pence *British* Currency, and after the same Rate for any greater or less Quantity over and above all Duties of Excise on such Spirits payable thereon, under or by virtue of any Act or Acts in force in *Ireland* on or immediately before the passing of this Act.

Spirits taken out of Warehouse for Home Consumption, to pay additional Duty.

III. And whereas it is expedient, pursuant to the Provisions of the Acts for the Union of *Great Britain* and *Ireland*, that in respect to the additional Duties by this Act imposed on Spirits made in *Ireland*, additional Countervailing Duties should be charged upon the like Spirits made in *Great Britain*, and respectively imported from thence into *Ireland*, sufficient to countervail the said Duties on Spirits made in *Ireland* under this Act; Be it therefore enacted, That there shall be granted, raised, levied, collected, paid and satisfied to and for the Use of His Majesty, his Heirs and Successors, on all such Spirits the Countervailing Duties following, over and above all Countervailing Duties whatever payable upon such Spirits, under or by virtue of any other Act or Acts in force in *Ireland* at the time of such Importation: that is to say, For and upon every Gallon of Spirits made or distilled in *Great Britain* from Corn or Grain, malted or unmalted, and which shall be imported from thence into *Ireland* at any time after the passing of this Act, the Sum of Six pence *British* Currency, and after the same Rate for any greater or less Quantity: And that for and upon every Gallon of Spirits made or distilled in *Ireland*, from Corn malted or unmalted, and on which the Duty by this Act granted and made payable thereon shall have been fully paid and satisfied, and which shall be exported from *Ireland* to *Great Britain*, there shall be allowed and given a Drawback equal in Amount to the Countervailing Duty imposed by this Act upon Spirits made or distilled in *Great Britain* from Corn or Grain malted or unmalted, and imported from thence into *Ireland*.

39 & 40 G. 3. c. 67.  
40 G. 3. (1) c. 38.

Countervailing Duty.

IV. And be it further enacted, That every Person who shall export to any other Place than *Great Britain* Spirits distilled in *Ireland* from Corn or Grain, malted or unmalted, on which the additional Duty imposed by this Act shall have been fully paid and satisfied, shall be entitled to and shall receive for every Gallon of such Spirits a Drawback equal to the Duty by this Act imposed on such Spirits made or distilled in *Ireland*; provided that all such Spirits shall be of a Strength not less than that of One to Ten over Hydrometer Proof; and which said Drawback shall be over and above all Drawbacks payable under or by virtue of any Act or Acts in force in *Ireland* on or immediately before the passing of this Act, in respect of such Spirits exported from *Ireland* to foreign Parts.

Drawback on Exportation.

V. And be it further enacted, That the said Duty of Six pence per Gallon on Spirits made or distilled in *Ireland* from Corn malted or

Duty charged agreeably to

or

46 G. 3. c. 88.

Former Acts.

Manner of  
making Returns  
on Charges on  
Distillers.

or unmalted, imposed by this Act, shall be charged on every Distiller in respect of the Quantity of Spirits which shall be made or distilled by such Distiller, or for which any Distiller shall be chargeable by Law, to be computed, ascertained and charged in such manner and under such Regulations, Directions and Provisions as are contained in an Act made in the Forty sixth Year of His present Majesty's Reign, intituled *An Act to provide for the regulating and securing the Collection of the Duties on Spirits distilled in Ireland, and the Warehousing of such Spirits for Exportation*; or in any Act or Acts for amending the said Act, or in any other Act or Acts for granting, regulating or securing Duties on Spirits distilled in *Ireland* from Corn or Grain; and that all and every the Clauses, Rules, Regulations, Restrictions, Provisions, Penalties, Forfeitures and Modes of Recovering thereof provided, mentioned and contained in the said recited Act of the Forty sixth Year aforesaid, as the same are amended by any other Act or Acts, or in any other Act or Acts for granting, regulating or securing the Duties on Spirits distilled in *Ireland* from Corn or Grain, shall be applied and put in Practice in making Charges of Duty and other Charges on such Distiller in respect of the said Duty on Spirits under this Act, and with respect to the warehousing of any Spirits charged with Duty under this Act, as fully and effectually to all Intents and Purposes whatsoever, as if all the said Clauses, Rules, Regulations, Restrictions, Provisions, Penalties and Forfeitures had been expressly repeated and enacted in this Act.

VI. And be it further enacted, That whenever at any time after the passing of this Act, any Officer of Excise in Charge of any Distillery shall make any Return or Charge upon any Distiller of any Quantity of Spirits actually made and distilled by such Distiller in any Period of Four Weeks or Twenty eight Days, from Corn or Grain, malted or unmalted, or from Sugar, over and above the Quantities with which such Distiller shall be chargeable in respect of each and every Still belonging to such Distiller, according to the Content thereof, and according to the Number of Charges of Singlings or Low Wines for each such Still, such Distiller shall be charged with, and shall pay Duty for every Gallon of such Excess of Spirits at and after the Rate of One Half only of the Duty paid by such Distiller on every Gallon of all such Spirits for which such Distiller shall have been chargeable, according to the Content of the Still and the Number of Charges of Singlings or Low Wines as aforesaid; any thing in any Act or Acts in force in *Ireland* to the contrary in any wise notwithstanding; and such Officer shall render a Return of the Amount of Duty on such Excess of Spirits, and shall charge the Distiller with such Duty after such Rate, and such Duty shall be paid in all respects in such manner, at such time, and under such Regulations, as is directed with respect to the Duty now payable by Law on such Spirits, under or by virtue of any Act or Acts in force immediately before the passing of this Act.

CAP.

## C A P. XCV.

An Act to provide for the Charge of the Addition to the Public Funded Debt of *Great Britain*, in the Year One thousand eight hundred and thirteen. [6th July 1813.]

WHEREAS by an Act passed in the present Session of Parliament, intituled *An Act to alter and amend several Acts passed in His present Majesty's Reign, relating to the Redemption of the National Debt; and for making further Provisions in respect thereof*, it was enacted and declared, That, for the Purposes of the said Act, an Amount of Public Debt equal to the whole Capital of the Public Debt, in perpetual redeemable Annuities, existing on the Fifth Day of *January* One thousand seven hundred and eighty six, should be deemed to be satisfied and discharged; and so much of the Capital Stock so purchased and transferred, as therein mentioned, and standing in the Names of the Commissioners for the Reduction of the National Debt, in the Books of the Governor and Company of the Bank of *England*, as Parliament, by any Act or Acts of the present Session, should or might direct, should be cancelled in like manner as if the same had been transferred to the said Commissioners for the Redemption of Land Tax, pursuant to the Provisions of the several Acts thereunto relating, in order to make Provision for the Charge of any Addition to be made to the Public Funded Debt of *Great Britain*, by way of Loan, or in any other manner for the Service of the present Year; and it was thereby further enacted, That whenever the Amount of the Sum to be raised by way of Loan, or in any other manner, which might create an Addition to the Public Funded Debt of *Great Britain*, in the present or any future Year, should exceed the Sum which on the First Day of *February* should have been or should be estimated to be applicable in the same Year to the Reduction of the National Debt, then and in every such case an annual Sum, amounting to the One hundredth Part of the Capital Stock created by so much only of the Monies raised by way of Loan, or in any other manner as aforesaid, in the Year, as should be equal to the Sum so estimated to be applicable to the Reduction of the National Debt within the same Year, should be issued at the Receipt of the Exchequer to the Account of the said Commissioners, in the manner directed by the said therein recited Act of the Thirty second Year of His present Majesty; and with respect to the Excess of the Monies which might be so raised in any Year, by way of Loan, or in any other manner as aforesaid, above the estimated Sum applicable to the Reduction of the National Debt within the same Year, such an annual Sum as should be equal to One-half of the Interest of such Excess, should be set apart out of the Monies composing the Consolidated Fund, and should in like manner be issued at the Receipt of the Exchequer to the Governor and Company of the Bank of *England*, to be by them placed to the Account of the said Commissioners: And whereas the Sum which on the First Day of *February* One thousand eight hundred and thirteen, was estimated to be applicable in the present Year to the Reduction of the National Debt, amounted to Thirteen millions and thirteen thousand nine hundred and fourteen Pounds: And whereas subsequently to the passing of the said

- 53 G. 3. c. 41. ' An Act, the Sum of Twelve Millions in Exchequer Bills has, in pursuance of an Act of the present Session of Parliament, intituled *An Act for granting Annuities to satisfy certain Exchequer Bills, and for raising a Sum of Money by Debentures, for the Service of Great Britain*, been subscribed into the Capital Stock of Annuities, bearing Interest after the Rate of Five Pounds *per Centum per Annum*, by which an Addition has been made to the Capital of the Public Funded Debt of *Great Britain*, equal to the Sum of Thirteen millions eight hundred and sixty thousand Pounds; and in pursuance
- 53 G. 3. c. 53. ' of another Act of the present Session of Parliament, intituled *An Act for raising a further Sum of Money by Debentures, for the Service of Great Britain, and for granting Annuities to satisfy certain Exchequer Bills, and for amending an Act of this Session of Parliament, for granting Annuities to satisfy certain Exchequer Bills; and for raising a Sum of Money by Debentures*, the Sum of Three millions seven hundred fifty five thousand seven hundred Pounds, in Exchequer Bills, has been subscribed into the Capital Stock of Annuities, bearing an Interest after the Rate of Four Pounds *per Centum per Annum*; by which a further Addition has been made to the Capital of the Public Funded Debt of *Great Britain*, equal to the Sum of Five millions two hundred and twenty thousand four hundred and twenty three Pounds; and in pursuance of
- 53 G. 3. c. 69. ' another Act of the present Session of Parliament, intituled *An Act for raising the Sum of Twenty seven millions by way of Annuities*, the Sum of Twenty one millions for the Service of *Great Britain* has been subscribed into the Capital Stock of Consolidated and Reduced Annuities, bearing an Interest after the Rate of Three Pounds *per Centum per Annum*, and into Annuities for the Term of Forty six Years and Nine Months from the Fifth Day of *April* One thousand eight hundred and thirteen, by which a further Addition has been made to the Capital of the Public Funded Debt of *Great Britain*, in Three *per Centum* Reduced Annuities, of Twenty three millions one hundred thousand Pounds, and in Three *per Centum* Consolidated Annuities, of Twelve millions six hundred thousand Pounds, and an Addition to the Annuities for Terms of Years of Eighty nine thousand two hundred and fifty Pounds: And whereas the Charge in respect of the said Sum of Thirteen millions eight hundred and sixty thousand Pounds, Five Pounds *per Centum* Annuities, and in respect of One million four hundred and nine thousand three hundred and Forty Pounds Nine Shillings and Two pence Halfpenny, Four Pounds *per Centum* Annuities, Part of the said Sum of Five millions two hundred and twenty thousand four hundred and twenty three Pounds, like Annuities, being the Addition to the Public Funded Debt of *Great Britain* created by so much of the said Sums in Exchequer Bills subscribed into Five Pounds *per Centum* and Four Pounds *per Centum* Annuities as aforesaid, as is equal to the Sum estimated on the said First Day of *February* to be applicable to the Reduction of the National Debt within the present Year, amounts (including the One hundredth Part of the Capital Stock thereby created) to the Sum of Nine hundred and six thousand six hundred forty seven Pounds Sixteen Shillings and Five pence Three Farthings: And whereas the Charge in respect of the Sum of Three millions eight hundred and eleven thousand



' thousand and eighty two Pounds Ten Shillings and Nine pence  
 ' Halfpenny, Four Pounds *per Centum* Annuities, being the Amount  
 ' of Capital Stock created in those Annuities by the Excess of the  
 ' Sum subscribed in Exchequer Bills above the Sum estimated to  
 ' be applicable to the Reduction of the National Debt within the  
 ' present Year, amounts (including the Addition of One-half the  
 ' Interest thereof) to the Sum of Two hundred twenty nine thou-  
 ' sand eight hundred and eight Pounds Five Shillings and Six pence:  
 ' And whereas the Charge in respect of the said Consolidated and  
 ' Reduced Annuities, and Annuities for Terms of Years, as afore-  
 ' said, amounts to the Sum of One million seven hundred and eight  
 ' thousand six hundred twenty eight Pounds Seven Shillings and  
 ' Eight pence: And whereas the total Charge arising as aforesaid  
 ' amounts to Two millions eight hundred forty five thousand and  
 ' eighty four Pounds Nine Shillings and Seven pence Three  
 ' Farthings: And it is expedient to make Provision for the said  
 ' Charge, in the manner directed by the said first recited Act; 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 Au-  
 thority of the same, That the Sum of Forty six millions eight  
 hundred and eighty four thousand six hundred Pounds, Three  
 Pounds *per Centum* Consolidated Annuities, standing in the Names  
 of the Commissioners for the Reduction of the National Debt, in  
 the Books of the Governor and Company of the Bank of *England*,  
 shall, from and after the Fifth Day of *July* One thousand eight  
 hundred and thirteen, and the Sum of Forty seven millions eight  
 hundred and ninety two thousand five hundred Pounds Three Pounds  
*per Centum* Reduced Annuities, standing in the Names of the said  
 Commissioners as aforesaid, shall, from and after the Tenth Day of  
*October* One thousand eight hundred and thirteen, be cancelled from  
 those Days respectively: And the Interest or Dividends which would  
 have been payable thereon shall from thenceforth respectively cease to  
 be issued from the Receipt of the Exchequer, or to be charged upon  
 the Consolidated Fund; and the Money which would have been ap-  
 plicable to the Payment thereof shall remain and be a Part of the  
 growing Produce of the Consolidated Fund of *Great Britain*, for  
 the Purpose of defraying the Charge occasioned by the Addition made  
 or to be made to the Public Funded Debt of *Great Britain* in the  
 present Year.

Certain Sums  
 standing in  
 Names of Com-  
 missioners of  
 National Debt,  
 cancelled;

Interest or Divi-  
 dends which  
 would have been  
 payable thereon,  
 to cease, and  
 Money appli-  
 cable to Pay-  
 ment thereof  
 carried to Con-  
 solidated Fund.

### C A P. XCVI.

An Act for defraying the Charge of the Pay and Clothing of  
 the Militia and Local Militia in *Great Britain* for the Year  
 One thousand eight hundred and thirteen. [6th *July* 1813.]

' **W**HEREAS it is necessary that Provision should be made for  
 ' defraying the Charge of the Pay and Clothing of the Re-  
 ' gular Militia (when disembodied) and Local Militia in *Great*  
 ' *Britain*, for One Year from the Twenty fifth Day of *December*  
 ' One thousand eight hundred and twelve; 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,

A a 2

That

Secretary at War to issue Sum necessary For Pay of Regular and Local Militia, and for Clothing according to Rates herein mentioned.

That in every County, Riding or Place in *England*, and in every County, Stewartry, City or Place in *Scotland*, where the Regular Militia or Local Militia is or shall be raised, the Secretary at War for the time being is hereby authorized and empowered, and required to cause to be issued and paid the whole Sum required for the Regular Militia (when disembodied) and Local Militia respectively, in the manner and for the several Uses hereinafter mentioned; that is to say, for the Pay of the said Regular Militia or Local Militia at the Rate of Eight Shillings a Day for each Adjutant, where an Adjutant is appointed; and at the Rate of Five Shillings a Day for each Quarter Master, where the Establishment of the Regiment, Battalion or Corps to which he is appointed shall exceed Three hundred and sixty Private Men; and at the Rate of Three Shillings a Day to such Quarter Master, where the Establishment shall not exceed that Number; and at the Rate of One Shilling and Six pence a Day for each Serjeant resident at the Head Quarters of the Regiment, Battalion or Corps, with the Addition of Two Shillings and Six pence a Week for each Serjeant Major, where a Serjeant Major is appointed; and at the Rate of One Shilling and Two pence a Day for each Corporal so resident as aforesaid, and at the Rate of One Shilling a Day for each Drummer so resident as aforesaid, with the Addition of Six pence a Day for each Drum Major, where a Drum Major is appointed; and also at the Rate of Three pence *per* Man for each Private Man and Drummer, for defraying the contingent Expences of each Regiment, Battalion or Corps; and also for the Clothing of the Regular Militia (when disembodied) or Local Militia for such County, Riding, Stewartry, City or Place, at the Rate of Four Pounds Nine Shillings and One Penny for each Serjeant Major, Three Pounds Nine Shillings and One Penny for each Serjeant, One Pound Nineteen Shillings and One Penny for each Corporal, Four Pounds and Ten pence for each Drum Major, Three Pounds and Ten pence for each Drummer, and One Pound Eighteen Shillings and Seven pence for each Private Man; and that such Serjeant Majors, Drum Majors, Serjeants, Corporals and Drummers, who may be retained on constant Pay, and resident at Head Quarters, shall be clothed Once in Two Years; and that such Serjeants, Corporals and Drummers of Local Militia, beyond the regular Establishment of the permanent Staff thereof as may be serving on Reduced Pay, under the Provisions of an Act passed in the Fiftieth Year of His present Majesty, intituled *An Act to amend several Acts relating to the Local Militia* of Great Britain, shall be entitled to new Clothing when their present Clothing shall have been actually and necessarily worn for Two Years: Provided always, that when any Serjeant, Corporal or Drummer shall be absent on Furlough or Licence, such Serjeant, Corporal or Drummer shall, during such Absence, receive Pay at the following Rates instead of those above mentioned; that is to say, every Serjeant the Sum of One Shilling a Day, every Corporal the Sum of Eight pence *per* Day, and every Drummer the Sum of Six pence *per* Day respectively, and no more; and it shall be lawful for the Secretary at War to cause any such Pay to be from time to time issued in Advance, for any Period not exceeding Four Months from the time for which such Advances shall be made.

50 G. 3. c. 25.

Rates of Pay to Serjeants, Corporals and Drummers, when absent on Furlough.

II. And

II. And be it further enacted, That there shall be granted to the Surgeon of each Regiment, Battalion or Corps of Regular Militia, when disembodied, a Sum of Money in Addition to his Pay, after the Rate of One Guinea for every One hundred Men of each such Regiment, Battalion or Corps, for the Expence of necessary Medicines for the Sick Non Commissioned Officers, Drummers and Private Men of such Regiment, Battalion or Corps during the Period or Periods of Assembly for annual Exercise or Training; and to the Surgeon of each Regiment, Battalion or Corps of Local Militia, the Sum of Five Shillings and Three pence for every Day's Training for the same Purpose, as also to the Surgeon of Regular Militia when disembodied, and to the Surgeon of Local Militia respectively, an Allowance of Six pence *per* Month for each of the Non Commissioned Officers and Drummers of any such Regiment, Battalion or Corps on constant Pay at Head Quarters, for the Expence of necessary Medicines and Attendance given to the Non Commissioned Officers and Drummers on constant Pay at Head Quarters, while such Regiment, Battalion or Corps is not called out for annual Training and Exercise.

Allowance to Surgeons.

III. And be it further enacted, That the Quarter Master or Battalion Clerk to each Regiment, Battalion or Corps of Militia, or Local Militia, shall have the Charge and Care of the Arms, Accoutrements, Clothing, Necessaries and other Stores under the Superintendance of the Colonel or Commandant; and shall, out of the Money hereby directed to be issued and paid for defraying the contingent Expences of such Regiment, Battalion or Corps, from time to time issue out and pay such Sums of Money as may be necessary for the Repair of Arms, upon an Order in Writing signed by the Colonel or other Commandant, and after Payment of such Sums as shall be drawn upon him by the Colonel or other Commandant as aforesaid, he shall Three times in the Year make up Accounts of all such Money, and the Expenditure thereof, and the Balance remaining in his Hands; which said Balance shall form a Stock Purse for the Use of the Regiment, Battalion or Corps, and transmit the same to the Colonel or other Commandant of such Regiment, Battalion or Corps, to be by him examined, allowed and signed; and the said Accounts so allowed and signed, shall be and are hereby directed to be the proper Vouchers and Acquittal of such Quarter Master or Battalion Clerk, for the Application and Disposal of such Money.

Quarter Master or Battalion Clerk to have Charge of Arms, Clothing, &c. and to account Three times a Year for contingent Money.

IV. And be it further enacted, That the Officers and Non Commissioned Officers and Private Men of the Regular Militia and Local Militia, when not drawn out and embodied, shall be entitled to the same Pay and Allowance as the Regular Militia when drawn out and embodied: Provided always, that the said Pay and Allowances shall only extend to such Period or Periods for which the said Regular Militia or Local Militia shall be called out for the Purpose of annual Exercise or Training, or when called out for suppressing Riots or Tumults, exclusive of the Days of arriving at, and Departure from, and marching to and from the Place appointed for Exercise; any thing in any Act or Acts of Parliament to the contrary notwithstanding.

Balance to form Stock Purse.

Pay to Militia (when not embodied).

V. And be it further enacted, That all Sums of Money granted for the Pay, Clothing and contingent Expences for the Regular Militia (when disembodied), and Local Militia as aforesaid, shall be issued

Money for Pay, &c. issued under Direction of Secretary at War.

and paid under the Direction of the Secretary at War, who is hereby empowered to issue such Regulations as he may deem it expedient to adopt from time to time in that Behalf.

53 G. 3. c. 43.

VI. And whereas in pursuance of an Act passed in the present Session of Parliament, intituled *An Act for increasing the Rates of Subsistence to be paid to Innkeepers and others on quartering Soldiers*, certain increased Rates are allowed for the Payment of Innholders and others on whom Non Commissioned Officers and Private Soldiers

53 G. 3. c. 17.

may, by virtue of an Act passed also in the present Session of Parliament for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters, be quartered in that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, the Dominion of *Wales* and the Town of *Berwick upon Tweed*: And whereas the Officers, Non Commissioned Officers, Drummers and Private Men of the said Regular Militia, if disembodied, and the Local Militia, when called out to annual Exercise, are required by Law to be quartered and billeted in Inns, Livery Stables, Alehouses, Victualling Houses and all Houses of Persons selling Brandy, Strong Waters, Cyder, Wine or Metheglin by Retail; Be it enacted, That the Innholders and others on whom the said Non Commissioned Officers, Drummers and Private Men of the Regular Militia (when disembodied), or Local Militia, shall be so quartered and billeted, shall be entitled to and receive the same Rates of Allowance for each Serjeant Major, Drum Major, Serjeant, Corporal, Drummer and Private Man so quartered and billeted upon them, during the time of their remaining assembled for Exercise as aforesaid, and under the same Rules and Regulations as such Innholders or others may now, by the above mentioned Act for the Relief of Innkeepers, demand and receive for the Non Commissioned Officers, Drummers and Private Soldiers of the Regular Infantry, in the respective cases of their furnishing them with Diet and Small Beer, or supplying them in lieu thereof with the Articles specified in the said Act for punishing Mutiny and Desertion; and the Secretary at War is hereby authorized and required to supply the necessary Funds to defray the Charge of the Allowances so to be made to the said Innholders and others: Provided always, that each of the Non Commissioned Officers, Drummers and Private Men who shall be furnished with Diet and Small Beer as aforesaid, shall contribute towards the Expence thereof, the like Proportion of his Pay and Beer Money, as is or shall be contributed in the like case by the Non Commissioned Officers, Drummers and Soldiers of the Regular Infantry.

Allowance to  
Innholders.

Persons on Half  
Pay serving in  
Local Militia  
may receive Pay.

VII. Provided always, and be it further enacted, That any Person being on Naval or Military Half Pay, or being entitled to any Allowance as having served in any of His Majesty's Forces, or Navy or Marines, and serving in the Local Militia, shall and may and he is hereby empowered to receive and take the Subsistence Money by this Act directed to be paid to Field Officers, Captains, Lieutenants, Ensigns, Adjutants, Quarter Masters, Surgeons; and the receiving and taking any such Subsistence Money by any such Field Officer, Captain, Lieutenant, Ensign, Quarter Master, Surgeon, shall not be deemed receiving or taking of Pay so as in any manner to prevent such Person on Half Pay, or being entitled to any such Allowance, from receiving his Half Pay or such Allowance; and such Person shall

shall take the following Oath before some Justice of the Peace, who is hereby empowered to administer the same :

‘ I *A. B.* do swear, that I had not between the  
 ‘ and the any Place or Employment of  
 ‘ Profit, Civil or Military, under His Majesty, besides my Allow-  
 ‘ ance of Half Pay as a Reduced in His Majesty’s  
 ‘ Navy, [*or*, in the Marines,] [*or*, in late Regiment  
 ‘ of ,] [*or*, Allowance as in  
 ‘ late Troop of Horse Guards], [*or*, Regiment of  
 ‘ Horse reduced,] save and except my Subsistence [*as* a Field Officer,  
 ‘ Captain, Lieutenant, Ensign, Adjutant or Quarter Master, Surgeon,  
 ‘ *as the case may be*], for serving in the Local Militia of the County  
 ‘ of

And the taking the said Oath shall be sufficient to entitle such Person to receive his Half Pay or the said Allowance, without taking any other Oath ; any Law, Usage or Custom to the contrary notwithstanding.

VIII. Provided always, and be it further enacted, That no Non Commissioned Officer or Private Man in the Regular Militia, or Local Militia, entitled to receive any *Chelsea* Pensions or Allowance, shall forfeit or lose his Right to the same by reason of his serving and receiving Pay in the Regular Militia or Local Militia.

Receiving Chelsea Pensions not to affect Pay.

‘ IX. And whereas Persons appointed to act as Adjutants in the  
 ‘ Regular or Local Militia may by Age or Infirmary be rendered in-  
 ‘ capable of doing the Duty thereof ; and it is expedient that some  
 ‘ Provision should be made for them in Consideration of their former  
 ‘ Service ;’ Be it enacted, That if any Adjutant of Regular Militia  
 ‘ who shall have served faithfully either in His Majesty’s Regular  
 ‘ Forces or in the Regular or Local Militia, for the full Term of  
 ‘ Thirty Years in the Whole, Fifteen of which he shall have served  
 ‘ as an Adjutant of Regular or Local Militia, shall by Age or In-  
 ‘ firmity be rendered unfit for further Service, he shall, on producing  
 ‘ to the Receiver General of the Land Tax for the County, Riding or  
 ‘ Place to which such Regular or Local Militia shall belong, if in  
 ‘ *England*, or to the Receiver General for *Scotland*, if in *Scotland*, a  
 ‘ Certificate of such Service of Thirty Years as aforesaid, from the  
 ‘ Commanding Officers of the different Corps to which he shall have  
 ‘ belonged, be entitled to receive ; and the Receivers General aforesaid  
 ‘ respectively shall be and they are hereby authorized and required  
 ‘ to pay to such Person producing such Certificate as aforesaid, an  
 ‘ Allowance at the Rate of Six Shillings *per Day* : Provided always,  
 ‘ that no Person shall be entitled to receive such Allowance as aforesaid  
 ‘ who shall have served for a less Term than Fifteen Years as an Ad-  
 ‘ jutant of Regular or Local Militia, or who shall hold any Office or  
 ‘ Employment of Profit, Civil or Military, under His Majesty, except  
 ‘ as Regimental or Battalion Clerk of any Regiment, Battalion or  
 ‘ Corps of Regular or Local Militia : Provided also, that no such  
 ‘ Adjutant shall lose any Right he may have to Half Pay by reason of  
 ‘ receiving such Allowance as aforesaid, but shall be entitled to receive  
 ‘ such Half Pay as well as such Allowance.

Allowance to Adjutants in Regular Militia, who from Age and Infirmary are unfit to serve.

Allowance not to affect Half Pay.

X. And be it further enacted, That in case any Regiment, Battalion, Corps or Independent Company, shall have already ceased and determined, or been reduced in its Establishment, or shall cease

Allowance to Persons serving as Adjutants in

Regiments, &c. whole Establishment is reduced.

and determine, or be reduced in its Establishment, during the Continuance of this Act, the Sum of Three Shillings *per Diem* shall be paid to such Person as has actually served as Adjutant to such Regiment, Battalion, Corps or Independent Company, from the Twenty fifth Day of *March* One thousand eight hundred and thirteen, or from the time such Regiment, Battalion, Corps or Independent Company, shall cease and determine, or be reduced in its Establishment, as the case may be, to the Twenty fifth Day of *March* One thousand eight hundred and fourteen: Provided always, that no such reduced Adjutant shall lose any Right he may have to Half Pay by reason of receiving such Allowance as last aforesaid, but shall be entitled to receive such Half Pay as well as such Allowance.

Surgeons after 30 Years' Service to receive Allowance of 3s. per Day.

' XI. And whereas Persons appointed to act as Surgeons in the Regular Militia may by Age or Infirmary be rendered incapable of doing the Duty thereof, and it is expedient that some Provision should be made for them in Consideration of their former Services; Be it enacted, That if any Surgeon of Regular Militia, having faithfully served in the Militia for the full Term of Thirty Years, shall by Age or Infirmary be rendered unfit for further Service, he shall, on producing to the Receiver General of the Land Tax for the County, Riding or Place to which such Regular Militia shall belong, if in *England*, or to the Receiver General for *Scotland*, if in *Scotland*, a Certificate of such Service of Thirty Years as aforesaid, from the Commanding Officers of the different Corps to which he shall have belonged, be entitled to receive; and the Receivers General aforesaid respectively shall be and they are hereby authorized and required to pay such Person producing such Certificate as aforesaid, an Allowance at the Rate of Three Shillings a Day: Provided always, that no Person shall be entitled to receive such Allowance as aforesaid who shall hold any Office or Employment of Profit, Civil or Military, under His Majesty.

Receivers General of Land Tax to pay Money required for Allowances to Clerks of General and Subdivision Meetings;

XII. And be it further enacted, That in every County, Riding or Place in *England* where the Regular Militia, or Local Militia, is or shall be raised, the Receiver or Receivers General of the Land Tax for such County, Riding or Place respectively, and in every County, Stewartry, City or Place in *Scotland*, where the Regular Militia, or Local Militia, is or shall be raised, the Receiver General for *Scotland* shall issue and pay the whole Sums required for the respective Allowances to the Clerks of the General Meetings, and Clerks of the several Subdivision Meetings in *England*, at the Rates following; that is to say, to the Clerk of the General Meetings, at the Rate of Five Pounds Five Shillings for each Meeting; and to the several Clerks of the Subdivision Meetings, at the Rate of One Pound One Shilling for each Meeting; and such further Allowance shall be made to such respective General and Subdivision Clerks for their Expences and Trouble in amending the Returns of Persons returned liable to serve in the Regular Militia, or Local Militia, by taking out the Names of all Persons who may appeal, and whole Appeals or Claims of Exemption have been allowed, and inserting the Names of any Persons that shall have been omitted to be inserted; and in numbering the Returns and making out the Tickets for the Ballot, after the Rate of One Pound Fifteen Shillings for every One thousand Names of Persons returned liable to serve; and also for the

the actual Expences incurred by such respective Clerks, and for Printing and Stationery used for the Purpose of this Act, as to the Lord Lieutenants or Deputy Lieutenants of the respective Counties, Ridings, Cities or Places shall appear reasonable and proper; and in case the Orders made by the Lord Lieutenants or Deputy Lieutenants for the Payment of such further Allowances as aforesaid shall be confirmed at a General Meeting consisting of not less than Five Deputy Lieutenants, but not otherwise.

XIII. And be it enacted, That the Receivers General in *England* shall pay to the Clerk of the General Meetings his Allowance, at the Rate of Five Pounds and Five Shillings for each Meeting, or such further Allowance as may be made as hereinbefore directed, upon his producing an Order or Orders for that Purpose from His Majesty's Lieutenant, or from Three Deputy Lieutenants assembled at some General Meeting or Meetings; and shall also pay to each and every of the Clerks of the Subdivision Meetings their several Allowances at the Rate of One Pound and One Shilling for each Meeting, or such further Allowance as may be made as hereinbefore directed, upon his or their producing an Order or Orders from One or more Deputy Lieutenant or Deputy Lieutenants, assembled in the several Subdivision Meetings; which said Order or Orders, specifying the Day or Days of Meeting, at what Place or Places, and for what Purpose or Purposes the said General and Subdivision Meeting or Meetings have been assembled and held, together with the Clerk's Receipt or Receipts for the Sums so claimed, shall be to the Receivers General in *England* respectively a sufficient Discharge for the Payment of such Allowances, and be allowed in their Accounts; and that the several Allowances to Clerks of General and Subdivision Meetings for their Trouble and Expences in the Execution of this Act in *Scotland*, shall be paid and defrayed in the same manner in which Schoolmasters, Constables, and other Persons employed in the Execution of an Act passed in the Forty second Year of the Reign of His present Majesty, intituled *An Act to raise and establish a Militia Force in Scotland*, are directed to be paid for their Trouble and Expences.

who shall produce Order for receiving Payment.

Scotland.

42 G. 3. c. 91. § 171.

XIV. Provided always, and be it further enacted, That it shall be lawful for the Agent General of Volunteers and Local Militia, and he is hereby required to repay any Sum of Money which may have been paid for the Stamp Duty on any Commission of any Officer in the Local Militia, under such Regulations and in such manner as the Secretary at War shall appoint.

Stamp Duty on Commissions in Local Militia repaid.

XV. And be it further enacted, That all Bills, Drafts and Orders drawn for the Pay or Allowance of the Regular Militia (when disembodied), or Local Militia, under this Act, may or shall be drawn upon unstamped Paper; and no such Bill, Draft or Order shall be void by reason of being so drawn or written on unstamped Paper.

Bills, &c. drawn for Pay, &c. need not be on stamped Paper.

XVI. Provided always, and be it enacted, That no Fee or Gratuity whatsoever shall be given or paid for or upon account of any Warrant or Sum of Money which shall be issued in relation to or in pursuance of this Act.

No Fees.

XVII. Provided always, and be it enacted, That all Penalties and Costs and Charges of Suit, and all Sums of Money for which any Person or Persons is or are by this Act made answerable, may and shall be recovered in any of His Majesty's Courts of Record at *Westminster*,

Where Penalties sued for.

*minister*, or in His Majesty's Court of Exchequer in *Scotland*, according as the case may require, by Action of Debt, Bill, Plaint or Information, wherein no Effoia, Wager of Law or Protection, or more than One Impar lance shall be allowed.

## C A P. XCVII.

An Act for allowing Glafs Makers to dispose of Muriate of Potash arising in the Manufacture of Flux for Glafs, for use in the Manufacture of Alum, and for charging a Duty of Excise thereon. [7th July 1813.]

38 G. 3. c. 89.

§ 116.

§ 127.

Glass Makers may deliver from entered Warehouses Muriate of Potash to be used in making of Alum.

WHEREAS by a Clause in an Act made in the Thirty eighth Year of the Reign of His present Majesty King George the Third, among other things, for transferring the Management of the Salt Duties to the Commissioners of Excise, Makers of Glafs in Great Britain are allowed to take Rock Salt from any Warehouse belonging and adjoining to any Salt Mine or Pit, for the Purpose of making Mineral Alkali or Flux for Glafs, upon Bond or Security being given that all such Rock Salt shall be really and truly employed, spent and consumed in the making of Mineral Alkali or Flux for Glafs; and by another Clause in the said Act, Glafs Makers and all other Persons are prohibited from using such Rock Salt or any Part thereof, or any acid Materials to be produced therefrom, after being used in the making of such Mineral Alkali or Flux for Glafs, for any other Purpose than that of making Mineral Alkali or Flux for Glafs: And whereas for the Purpose of using the same in the Manufacture of Alum it is expedient, under and subject to the Rules, Regulations, Restrictions and Provisions hereinafter in that Behalf contained, provided, settled and established, to allow Glafs Makers to deliver from any such Warehouse, Warehouse, Storehouse, Room or other Place entered as in the said Act is mentioned by any Maker or Makers of Glafs as being intended to be made use of in, or for the making or keeping Mineral Alkali or Flux for Glafs, the Muriate of Potash arising from the Manufacture of any such Rock Salt by any such Glafs Maker into Mineral Alkali or Flux for Glafs; Be it therefore enacted, by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for any Maker or Makers of Glafs in Great Britain to deliver from any such Warehouse, Warehouse, Storehouse, Room or other Place, entered by any such Maker or Makers of Glafs, to any Maker or Makers of Alum, any Muriate of Potash for the Purpose of being used in the Manufacture of Alum, upon Bond or Security being given by such Maker or Makers of Alum, in Double the Duty of such Muriate of Potash, that all such Muriate of Potash shall be really and truly employed, spent and consumed by such Maker or Makers of Alum in the Manufacture of Alum; which Bond or Security shall be discharged, upon the said Maker or Makers of Alum, or his or their Agent or chief Workman, making Oath before the Collector of Excise of the Collection in which the Alum Works to which such Muriate of Potash shall be permitted, shall be situated (which Oath such Collector is hereby authorized and empowered to administer), that



that all the said Muriate of Potash, for which such Bond or Security shall have been given, was made use of in the Manufacture of Alum there, and for no other Purpose whatsoever; and the Supervisor or Officer of Excise, under whose Survey such Maker or Makers of Alum shall then be, at the same time certifying his Belief of the Truth of the Matters sworn to by such Maker or Makers of Alum, or his or their Agent or chief Workman.

II. Provided always, and be it further enacted, That before any Maker or Makers of Alum shall be permitted to receive, or to have delivered for him, her or them any such Muriate of Potash, such Maker or Makers of Alum shall make true and particular Entry in Writing of every Workhouse, Warehouse, Storehouse, Room and other Place, by him or them respectively intended to be made use of in or for the keeping of Muriate of Potash, and in and for the using thereof in the Manufacture of Alum, at the Office of Excise within the Compass or Limits whereof such Workhouse, Warehouse, Storehouse, Room or other Place respectively shall be situate; and if any Maker or Makers of Alum shall receive or have delivered to or for him, her or them any such Muriate of Potash, without having first made such Entry as aforesaid, such Maker or Makers of Alum so offending shall, for every such Offence, forfeit and lose the Sum of One hundred Pounds, together with all the Muriate of Potash which shall at any time be found in any Workhouse, Warehouse, Storehouse, Room or other Place, by such Maker or Makers of Alum, made use of in or for the keeping of Muriate of Potash, whereof no such Entry as last aforesaid shall be made.

Alum Makers to make Entry of Places for keeping Potash.

Penalty.

III. And be it further enacted, That, from and after the Fifth Day of July One thousand eight hundred and thirteen, there shall be raised, levied, collected and paid to and for the Use of His Majesty, his Heirs and Successors, a Duty of Excise of Twenty Shillings for every Ton Weight of Muriate of Potash delivered by any Maker or Makers of Glass for the Purpose of being used in the Manufacture of Alum.

Duty on Muriate of Potash.

IV. And be it further enacted, 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.

Duty under Commissioners of Excise.

V. And be it further enacted, That when and so often as any Maker or Makers of Glass shall have Occasion to deliver any Muriate of Potash from any such his, her or their entered Workhouse, Warehouse, Storehouse, Room or other Place, to or for any Maker or Makers of Alum, for the Purpose of using the same in the Manufacture of Alum, such Maker or Makers of Glass shall give previous Notice, in Writing, to the proper Officer of Excise under whose Survey such Workhouse, Warehouse, Storehouse, Room or other Place shall then be, by the Space of Two Hours, of his, her or their Intention so to deliver such Muriate of Potash as aforesaid, and shall specify in such Notice the Day and the Hour of the Day, when he, she or they intends or intend to weigh and deliver such Muriate of Potash, and the Quantity thereof which he, she or they intends or intend so to deliver, with the Christian and Surnames of the Maker or Makers of Alum, to or for whom the same is so intended to be delivered, and the

Delivery of Potash, Notice to Officer.

the Place at which his, her or their Alum Works at which the same is so intended to be delivered are situate, and by what Conveyance the said Muriate of Potash is intended to be removed; and thereupon such Officer of Excise who shall be ordered by the proper Supervisor of Excise so to do, and who shall not have any other necessary and unavoidable Employment at the time, shall attend, weigh and take Account of all the Muriate of Potash so to be delivered, and shall make a just and true Report and Return thereof to the Commissioners of Excise in *England* or *Scotland* respectively, as the case may require, or to such Person or Persons as they the said respective Commissioners, or any Three or more of them respectively shall appoint or employ to receive the same, and such Report or Return shall be a Charge upon such Maker or Makers of Glafs.

Officers to keep Account of Delivery of Muriate of Potash.

VI. And be it further enacted, That no such Muriate of Potash shall be delivered out of or from any Workhouse, Warehouse, Storehouse, Room or other Place belonging to or made use of by any Maker or Makers of Glafs, for the Purpose or under any Pretext of being used in the Manufacture of Alum, or shall be afterwards delivered or received at any Alum Works, or at any Workhouse, Warehouse, Storehouse, Room or Place belonging to or made use of by any Maker or Makers of Alum, but in the Presence of the proper Officer of Excise, who shall make and keep an Account in Writing, containing the true and real Weight or Quantity of the Muriate of Potash so delivered out or from any such Workhouse, Warehouse, Storehouse, Room or other Place belonging to or made use of by such Maker or Makers of Glafs, and so delivered or received at any such Alum Works, or Workhouse, Warehouse, Storehouse, Room or other Place belonging to or made use of by any such Maker or Makers of Alum as aforesaid, together with the Day on which the same shall be so delivered out, and so delivered and received respectively as aforesaid; and which Account so to be made and kept shall also contain the Name of the Maker or Makers of Alum to whom the Muriate of Potash therein mentioned was delivered, and for the Use of what Work or Works for the making of Alum, and to whom belonging.

Samples taken by Officer.

VII. And be it further enacted, That it shall and may be lawful to and for any Officer or Officers of Excise, and all such Officers are hereby authorized and empowered to take, at any time or times, a Sample or Samples of any Muriate of Potash, or other Materials alleged or pretended to be or passing under the Denomination of Muriate of Potash, at any time in the Custody or Possession of any Maker or Makers of Glafs, or in the Custody or Possession of any Maker or Makers of Alum, paying for the same (if demanded), the Value thereof; and in case any Maker or Makers of Glafs, or any Maker or Makers of Alum, shall refuse to permit any such Officer or Officers to take any such Sample or Samples as aforesaid, upon his or their paying for the same (if demanded), such Maker or Makers of Glafs, or Maker or Makers of Alum, so offending shall, for each and every such Offence, forfeit and lose the Sum of One hundred Pounds.

Penalty.

Permits granted for the Removal of Muriate of Potash.

VIII. And be it further enacted, That where any Maker or Makers of Glafs shall have Occasion to remove any Muriate of Potash from any such Workhouse, Warehouse, Storehouse, Room or other Place by him, her or them entered as being intended to be made use of for the making or keeping Mineral Alkali or Flux for Glafs, the  
Officer

Officer or Officers of Excise of the respective Divisions or Places where such entered Workhouse, Warehouse, Storehouse, Room or other Place shall be situated, shall, without Fee or Reward, from time to time, upon a Request Note being made and delivered by such Maker or Makers of Glafs, according to the Directions of this Act, grant and give a Permit in Writing, signed by the said respective Officer or Officers, expressing the Quantity of all such Muriate of Potash so to be removed, and expressing the Name and Names of the Person or Persons from whom the same is intended to be removed, and to whom the same is to be removed, and that the Duty for or in respect of such Muriate of Potash so intended to be removed has been paid; and all Officers of Excise granting or giving any such Permit, shall therein limit and express the time within which the said Muriate of Potash in such Permit mentioned shall be removed from the Workhouse, Warehouse, Storehouse, Room or other Place of the Maker or Makers of Glafs taking out such Permit, and also the time within which the said Muriate of Potash shall be delivered and received into the Workhouse, Warehouse, Storehouse, Room or other Place of the Maker or Makers of Alum to whom the same is permitted to be sent.

IX. And be it further enacted, That no Permit for the Removal of any such Muriate of Potash shall be granted, or be valid, unless such Maker or Makers requiring the same shall make and send or deliver to the Officer or Officers of Excise hereby authorized to grant such Permit, a Request Note in Writing, specifying the Name of the Maker or Makers of Alum to whom such Muriate of Potash is intended to be sent, the Quantity of such Muriate of Potash intended to be removed, and for the Removal of which such Permit is required, and also the Number and Contents of the Casks or other Packages containing the same, and whether the same is to be removed by Land or by Water, and by what Mode of Conveyance such Muriate of Potash is intended to be sent.

Note specifying certain Particulars delivered before Permits granted.

X. And be it further enacted, That no Muriate of Potash shall be brought into any Workhouse, Warehouse, Storehouse, Room or other Place made use of by any Maker or Makers of Alum, without an authentic Permit granted and given according to the Directions of this Act, which Permit shall be produced to and left with the Officer of Excise under whose Survey such Maker or Makers of Alum shall then be, on Pain of forfeiting all such Muriate of Potash so brought in without such Permit.

Muriate of Potash admitted into Possession of Alum Maker without Permit. Penalty.

XI. And be it further enacted, That all and every Maker and Makers of Alum shall, within Six Hours next after any such Muriate of Potash shall be received or delivered at or into any Workhouse, Warehouse, Storehouse, Room or other Place to him, her or them belonging, give to the Officer of Excise under whose Survey he, she or they shall then be, Notice in Writing of the Receipt and Delivery thereof; and if any Maker or Makers of Alum shall neglect or refuse to give any such Notice, such Maker or Makers so offending shall, for each and every such Offence, forfeit and lose the Sum of Fifty Pounds.

On Receipt of Muriate of Potash, Notice to Officer.

XII. And be it further enacted, That in case in the Muriate of Potash brought in to be used, stored or deposited, at any such Alum Work or Works, for the Purpose of being used in the Manufacture of Alum, any Decrease shall be found exceeding the Rate of One Pound in every One Hundred Weight of such Muriate of Potash specified

Penalty. Decrease of 1lb. in a 100 allowed.

specified in the Permit which shall accompany the same, the Maker or Makers of Alum to whose Use or to whose Account the said Muriate of Potash was so delivered at such Work or Works as aforesaid, shall forfeit and lose the Sum of Fifty Pounds.

**Penalty.**

Maker of Glafs to keep Account of Muriate of Potash delivered to Alum Works, and return same to Excise.

XIII. And be it further enacted, That all and every Maker and Makers of Glafs shall respectively Daily and every Day enter in a Book, or on a Paper to be provided for that Purpose, an exact and particular Account of each and every Parcel, Quantity or Load of Muriate of Potash, and the Weight thereof sold, delivered or sent out by such Maker or Makers of Glafs, with the Name of the Maker or Makers of Alum to or for whom every such Quantity of Muriate of Potash was so sold, delivered or sent out, and the Place where his, her or their Alum Works at which the same is to be or was delivered, and such Book or Paper shall be returned to the next Office of Excise every Six Weeks, and the Truth of the Entries made therein shall be then and there verified upon the Oath of such Maker or Makers, or his, her or their chief Workman or Agent, before the proper Collector or Supervisor of Excise, and the several and respective Collectors and Supervisors of Excise are hereby authorized and required to administer such Oath accordingly; and in case any such Maker or Makers of Glafs shall neglect or refuse to keep such Book or Paper, or to make such Entries therein, according to the true Intent and Meaning of this Act, or shall neglect or refuse to return the same as hereinbefore directed, or to verify the said Entries or any of them upon Oath, such Maker or Makers of Glafs shall, for each and every such Offence, forfeit and lose the Sum of One hundred Pounds.

**Penalty.**

Duty cleared in a certain time.

XIV. And be it further enacted, That all and every such Maker or Makers of Glafs shall, within One Week after he, she or they shall have or ought to have made such Entry upon Oath as last aforesaid, pay and clear off all the Duties for and in respect of Muriate of Potash, which shall be due from him, her or them respectively; and that every such Maker or Makers of Glafs, who shall neglect or refuse to make such Payment as aforesaid, shall forfeit for every such Offence Double the Sum of the said Duties, whereof the Payment shall be so neglected as aforesaid.

**Penalty.**

Officers may at all times enter Premises.

XV. And be it further enacted, That it shall and may be lawful to and for the Officers of Excise, or any or either of them, from time to time and at all times, by Day and by Night, upon his or their Request or Demand (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 the Workhouses, Warehouses, Storehouses, Rooms and other Places made use of by any Maker or Makers of Glafs, or by any Maker or Makers of Alum, in or for the storing or keeping of Muriate of Potash, or any other Matter or Material alledged or pretended to be or passing under the Name or Denomination of Muriate of Potash, and by weighing or otherwise to take an Account of the Quantity and Quality of all the Muriate of Potash or other Matters or Materials alledged or pretended to be or passing under the Name or Denomination of Muriate of Potash, which shall at any time be in the Custody or Possession of any such Maker or Makers of Glafs, or of any such Maker or Makers of Alum.

XVI. And be it further enacted, That all and every Maker or Makers of Glafs, and all and every Maker and Makers of Alum, shall,

Scales and Weights pro-

shall, and he, she and they respectively is and are hereby required to provide and keep proper, sufficient and just Scales and Weights at the Place or Places where he, she or they respectively shall have or keep any Muriate of Potash, and shall, at his, her or 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 such Place 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 Muriate of Potash which shall at any time be in the Custody or Possession of any such Maker or Makers of Glass, or Maker or Makers of Alum respectively; and if any such Maker or Makers of Glass, or any such Maker or Makers of Alum, shall neglect or refuse to provide or 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 as aforesaid, or shall not permit or suffer any Officer or Officers of Excise to use the same as aforesaid, or if any such Maker or Makers of Glass, or any Maker or Makers of Alum, shall, in the weighing of any Muriate of Potash, 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 shall or may be hindered or prevented from taking the just and true Weight, and ascertaining the true Quantity of any such Muriate of Potash; then and in every such case such Maker or Makers of Glass, or Maker or Makers of Alum (as the case may be), shall, for every such Offence, forfeit the Sum of One hundred Pounds, together with all such false, unjust or insufficient Scales and Weights respectively.

vided, to take Account of Weight of Muriate of Potash,

Penalty.

XVII. And be it further enacted, That all and every Maker or Makers of Glass, and all and every Maker or Makers of Alum, shall, when and so often as he, she or they shall be thereunto required by the proper Officer of Excise, with a sufficient Number of his, her or their Servants, aid and assist to the utmost of his, her or their Power, such Officer or Officers in weighing and taking an Account of his, her or their Muriate of Potash, on Pain of forfeiting for every Neglect or Refusal thereof the Sum of One hundred Pounds.

Makers to assist Officers in taking Account of Weight.

Penalty.

XVIII. And be it further enacted, That if any Person or Persons shall take, remove or carry away any Muriate of Potash, with Intent to evade the Duty by this Act imposed, every Person so offending shall forfeit the Sum of Fifty Pounds, and all the Muriate of Potash so taken, removed or carried away shall be forfeited.

Removing Muriate to evade Duty.

Penalty.

XIX. And be it further enacted, That in case any Muriate of Potash shall be deposited, hid or concealed in any Place or Places whatsoever, with an Intent to defraud His Majesty of any of the Duties by this Act imposed, such Muriate of Potash shall be forfeited, and shall and may be seized by any Officer or Officers of Excise, and the Person or Persons in whose Custody the same shall be found, shall forfeit the Sum of One hundred Pounds; and, the better to enable such Officer or Officers to discover such Muriate of Potash so forfeited, if any such Officer or Officers shall have Cause to suspect that any such Muriate of Potash shall be so deposited, hid or concealed in any Place

Concealing Potash.

Penalty.

Place or Places whatsoever, then and in every such case, if such Place or Places shall be 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 before One or more Justice or Justices of the Peace of the County, City or Liberty where such Place or Places shall be, or in case such Place or Places 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, Shire, Division or Place where such Officer or Officers shall suspect the same to be deposited, hid or concealed, setting forth the Ground of his or their Suspicion, it shall and may be lawful to and for the said Commissioners, 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 or their respective Hands and Seals, to authorize and empower such Officer or Officers by Day or by Night, but if in the Night-time, then in the Presence of a Constable or other Officer of the Peace, to enter into all and every such Place and Places where he or they shall so suspect such Muriate of Potash to be so deposited, hid or concealed, and to seize and carry away all such Muriate of Potash which he or they shall then and there find so forfeited.

Muriate of Potash from Glass Houses used only in Manufacture of Alum.

XX. And be it further enacted, That in case any Maker or Makers of Alum, to whom or to whose Use or on whose Account any such Muriate of Potash shall be delivered from any Workhouse, Warehouse, Storehouse, Room or other Place belonging to or made use of by any Maker or Makers of Glass; or in case any other Person or Persons shall make use of or employ such Muriate of Potash, or any Part thereof, to or for any Use or Purpose other than in the Manufacture of Alum, or shall, after any such Muriate of Potash, or any Part thereof, shall have been used in the Manufacture of Alum as aforesaid, make use of or employ the *Residuum*, *Caput mortuum*, or any Remains thereof, for any other Purpose than in the Manufacture of Alum, the Maker or Makers of Alum, or other Person or Persons so offending, shall, for each and every such Offence, forfeit and lose the Sum of One hundred Pounds.

Penalty.

Proof of Muriate of Potash to lie on Owner.

XXI. And be it further enacted, That if any Question shall arise, whether any Substance, Matter or Material, Substances, Matters or Materials, which shall be seized as and for Muriate of Potash, forfeited under or by virtue of this Act, be Muriate of Potash, the Proof of such Substance, Matter or Material, Substances, Matters or Materials, not being Muriate of Potash, shall lie upon the Owner or Claimer thereof.

How Muriate of Potash weighed.

XXII. And be it further enacted, That in all cases where any Officer or Officers of Excise is or are authorized, empowered or required to ascertain the Quantity of Muriate of Potash by Weight, no less Quantity of such Muriate of Potash shall be weighed at one Draft than an Hundred Weight; and every such Officer or Officers, in the weighing any Muriate of Potash, shall give the Turn of the Scale in Favour of The Crown, and in lieu thereof shall make an Allowance at and after the Rate of Five Pounds Weight in every Half of a Ton of such Muriate of Potash.

XXIII. And

XXIII. And be it further enacted, That if any Person or Persons whatsoever shall assault, resist, oppose, molest, obstruct or hinder any Officer or Officers of Excise in the due Execution of this Act, or of any of the Powers or Authorities hereby given or granted to any such Officer or Officers, or shall by Force or Violence, after any such Officer or Officers shall have seized any Muriate of Potash, or any Substance, Matter or Material, Substances, Matters or Materials, as or for Muriate of Potash forfeited under or by virtue of this Act, rescue or cause to be rescued any such Muriate of Potash, or Substance, Matter or Material, Substances, Matters or Materials, or shall attempt or endeavour so to do, all and every such Person or Persons so offending shall, for each and every such Offence, forfeit and lose the Sum of One hundred Pounds.

Obstruſting  
Officers.  
  
Penalty.  
Bribing Officers,  
&c.

XXIV. And be it further enacted, That if any Person or Persons whatsoever shall give or offer to give any Bribe, Recompence or Reward whatsoever to any Officer or Officers of Excise, in order to corrupt, persuade or prevail upon any such Officer or Officers either to do or perform any Act or Acts, thing or things whatsoever, contrary to the Duty of such Officer or Officers in the Execution of this Act, or to neglect to do or perform any Act or Acts, thing or things whatsoever, belonging or appertaining to the Business or Duty of such Officer or Officers in the Execution of this Act, or to connive at or conceal any Fraud or Frauds relating to any of the Regulations by this Act prescribed, or not to discover the same; all and every the Person or Persons so offending shall, for each and every such Offence (whether such Offer or Proposal be accepted or not), forfeit and lose the Sum of Five hundred Pounds.

Penalty.

XXV. And be it further enacted, That no Person whatsoever being a Glass Maker or Alum Maker, or who is or shall be in any wife interested or concerned in the Trade or Business of making or dealing in Glass or Alum respectively shall, during such time as he, she or they shall be so interested or concerned in the Trade or Business of making or dealing in Glass or Alum, act as a Justice of the Peace in any matter or thing whatsoever, which shall in any wife concern the Execution of the Powers or Authorities given or granted by this Act; and if any Person or Persons shall, contrary to the true Intent and Meaning of this Act, presume to exercise any such Powers or Authorities, or to do any Act hereby authorized to be done by any Justice or Justices of the Peace, all such Acts so executed or done by such Person or Persons, shall be utterly null and void to all Intents and Purposes whatsoever.

Penalty.  
Glaſs Makers or  
Alum-Makers  
not to act as  
Juſtices.

XXVI. And be it further enacted, That all Fines, Penalties and Forfeitures imposed by this Act, shall be sued for, recovered, levied or mitigated by such means, ways 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.

Penalties h. w  
recovered.

XXVII. And be it further enacted, That all and every the Powers, Directions, Rules, Penalties, Forfeiture, Clauses, Matters and Things which in and by an Act, made in the Twelfth Year of the

Former Acts extended to Act  
22 Car. 2. c. 24.

the Reign of His late Majesty 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 or Laws now in force relating to His Majesty's Revenue of Excise*, are provided or established for managing, raising, levying, collecting, mitigating or recovering, adjudging or ascertaining the Duties thereby imposed, 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 Duties of Excise 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.

Commencement  
of Act.

XXVIII. And be it further enacted, That this Act shall commence and take Effect as to all such matters and things herein contained, in respect whereof no special Commencement is hereby directed or provided, from and immediately after the Fifth Day of *July* One thousand eight hundred and thirteen.

### C A P. XCVIII.

An Act for the more correct Ascertainment of the Value of  
Duty-free Goods exported. [7th July 1813.]

Proprietor to deliver to Officer of Customs a Specification of Quantity, Quality and Value of Goods ascertained as directed by 27 G. 3. c. 13. § 8.

‘**W**HEREAS it is expedient that Provision should be made for obtaining correct Accounts of the Value of the Exports of Goods, Wares or Merchandize, the Produce or Manufacture of the United Kingdom;’ Be it therefore enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the First Day of *August* One thousand eight hundred and thirteen, on or before the Shipment of any Goods, Wares or Merchandize whatever, of the Growth, Production or Manufacture of the United Kingdom, not liable to Duty on Exportation from *Great Britain*, the Exporter or Proprietor shall deliver or cause to be delivered to the proper Officer of the Customs, a separate Bill, containing the true and accurate Specification of the Quantity, Quality and Value of all such Goods, Wares and Merchandizes, ascertained by the Declaration of such Exporter or Proprietor, or his known Agent or Factor, before the proper Officers of the Customs, in the same manner and form, and under the like Rules and Regulations as are prescribed and directed by an Act of 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 Public Revenue; for permitting the Importation of certain Goods, Wares and Merchandizes, the Produce and 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;* with respect to Goods, Wares and Merchandizes subject to the Payment of Duty upon being exported



exported: And it shall and may be lawful for the Searchers, or other proper Officer or Officers of the Customs, to detain and make stay of any such Goods, Wares and Merchandizes, until such separate Bill shall be delivered to them, containing the aforesaid Specifications.

Officers may stay Goods until Delivery of Specification.

II. And be it further enacted, That if upon the Examination of such Goods, Wares and Merchandize, it shall appear to the Searchers or other proper Officers of the Customs, that the same have not been truly and accurately valued according to the Price thereof at the Port of Exportation, it shall and may be lawful for such Officer or Officers, and he and they is and are hereby authorized and required to call for the Production of the Invoice and Bills of Parcels, or such other Documents relating to such Goods, Wares and Merchandize, as they may think necessary to ascertain the real and true Value; and the said Exporter, Proprietor or Factor, is hereby required to produce the same: And if it shall appear to such Officer or Officers that any false Valuation has taken place, the Exporter or Proprietor, or his known Agent or Factor, is hereby required to make Declaration of the Value *de novo* before the proper Officers as aforesaid, conformable with the true and real Value of such Goods: And it shall be lawful for any Officer or Officers of the Customs to detain and make stay of such Goods, Wares and Merchandize, until such Declaration *de novo* shall be made: Provided always, that if at the time of making the Entry for the Exportation of such Goods, Wares or Merchandize, of the Growth, Produce or Manufacture of the United Kingdom, the Exporter or Proprietor, or his known Agent or Factor, shall not be able to ascertain the Contents, and the true and real Value thereof, it shall be lawful for the proper Officers of the Customs at the Port of Exportation, to permit such Exporter or Proprietor, Agent or Factor, to ship and export such Goods, Wares and Merchandize, upon his previously making Oath before the Collector and Comptroller of the Customs (which Oath they are hereby authorized and required to administer), that such real Value and Specification of the Contents cannot then be ascertained; and that within Three Months from the Date of Entry he will cause the separate Bill and Declaration hereinbefore required to be delivered to the proper Officers aforesaid.

Officers empowered to demand Invoice or other Document.

In what case Exporter or Proprietor to make Declaration of Value *de novo*.  
In what case Officers may permit Goods to be exported on certain Conditions.

III. And be it further enacted, That if the Exporter or Proprietor of such Goods, Wares or Merchandize, or his known Agent or Factor, shall not deliver such separate Bill and Declaration within the time hereinbefore limited and directed; or shall not produce the Invoice or Bills of Parcels for such Goods, Wares or Merchandize; or shall knowingly make any false Declaration of the Value or Contents of any such Goods, Wares or Merchandize, either at the time of the first Entry thereof, or after the same have been allowed to be shipped for Exportation; every such Exporter, Agent or Factor, shall, for every such Offence, forfeit the Sum of Twenty Pounds.

Exporter, &c. not delivering Declaration.

IV. And be it further enacted, That the said Penalty of Twenty Pounds 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 Customs, 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, One Moiety of such Penalty to be to His Majesty, his Heirs and Successors,

Penalty.  
Penalty how recovered.

Scotland.

and the other Moiety to be paid to him or them who shall inform, discover or sue for the same.

### C A P. XCIX.

An Act for the more speedy and effectual Trial and Punishment of Offences committed by Soldiers, detached in Places beyond the Seas, out of His Majesty's Dominions.

[7th July 1813.]

53 G. 3. c. 17.

§ 20.

Commanding Officers may assemble Courts Martial for trying Offenders.

Courts Martial so assembled, may try and punish Offenders.

Sentences to be confirmed.

‘ WHEREAS by an Act passed in the present Session of Parliament, intituled *An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters*, it is enacted, that General Courts Martial to be held in Places beyond the Seas out of His Majesty's Dominions, may consist of any Number not less than Seven: And whereas it is expedient to amend the said Act, and to provide that such General Courts Martial may consist of a less Number than Seven, in the cases hereinafter specified;’ Be it therefore enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for any General or other Officer commanding any Station, or commanding any Division, Brigade, Detachment or distinct Party, belonging to any Army of His Majesty, which may at any time be serving in any Place beyond the Seas out of His Majesty's Dominions, upon Complaint made to him of any Crime or Crimes, Offence or Offences, done or committed against the Property or Person of any Inhabitant of or Resident in any such Countries, by any Non Commissioned Officer, Soldier or other Person serving with or belonging to His Majesty's Armies in the Field, being under the immediate Command of any such General or other Officer, to summon and cause to assemble a Court Martial, which shall consist of not less than Three Officers at the least, for the Purpose of trying any such Person or Persons accused or suspected of having committed any such Crime or Crimes, Offence or Offences as aforesaid, notwithstanding such General or other Officer shall not have received from His Majesty, or from any Person having His Majesty's Authority in that Behalf, any Warrant or Warrants empowering such General or other Officer to summon or assemble Courts Martial.

II. And be it further enacted, That every Court Martial so assembled under the Authority of this Act shall have Power to try any such Person or Persons so accused or suspected as aforesaid, and to adjudge any such Person or Persons to suffer any such Punishment, as by any Act for the Punishment of Mutiny and Desertion which may be in force at the time such Crime or Crimes, Offence or Offences, shall have been committed, or by any Article or Articles of War issued by His Majesty under the Authority of any such Act, shall be prescribed for any Crime or Crimes, Offence or Offences, with which any such Person or Persons shall be charged before such Court Martial: Provided always, that no Sentence of such Court Martial assembled under the Authority of this Act, shall be executed, until the General commanding in Chief any Army, of which the Division, Brigade, Detachment or Party, to which any Person so tried, convicted and adjudged to suffer Punishment

Punishment shall belong, shall have approved and confirmed the same.

III. Provided always, and be it further enacted, That every Court Martial assembled under the Authority of this Act shall have such and the same Powers for summoning and examining Witnesses, and Witnesses guilty of Perjury on Examination before them shall be subject and liable to the same Penalties and Punishments, as by any Law or Usage belong to any Court Martial authorized by Law; and the Sentence of such Court Martial acting under the Authority of this Act shall, after such Approval and Confirmation as aforesaid, be equally valid and effectual to all Intents and Purposes as if the same had been pronounced by any Court Martial summoned, assembled and acting under any Act or Acts of Parliament heretofore made or now in force respecting Courts Martial.

Courts Martial to summon and examine Witnesses. Perjury.

Sentences under Authority of Act after Confirmation, valid.

### C A P. C.

An Act for facilitating the making up and Audit of the Accounts of the Paymaster General of His Majesty's Forces, for the Years One thousand eight hundred and five, One thousand eight hundred and six and One thousand eight hundred and seven; and for enabling the said Paymaster General to accept Foreign Bills of Exchange, payable at the Bank of *England*. [7th July 1813.]

WHEREAS by an Act passed in the Forty fifth Year of His present Majesty's Reign, intituled *An Act to repeal an Act made in the Twenty third Year of His present Majesty, for the better Regulation of the Office of Paymaster General of His Majesty's Forces, and the more regular Payment of the Army; and for the more effectually regulating the said Office*; it was, among other things, directed in what manner the annual Account of the Paymaster General of His Majesty's Forces should be made up, commencing from the Twenty fifth Day of *December* One thousand eight hundred and four; and in what manner the same when made up should be transmitted to the Commissioners for auditing the Public Accounts, and by them examined and presented for Declaration, and how the said Paymaster General should be acquitted thereof: And whereas in an Act passed in the Forty sixth Year of His said Majesty's Reign, intituled *An Act for making more effectual Provision for the more speedy and regular Examination and Audit of the Public Accounts of this Kingdom*, certain Provisions are contained by which the Delivery of other Accounts applicable to the Service of each Year or Period are required to be furnished by all Accountants: And whereas an Act was passed in the Forty eighth Year of His said Majesty's Reign, intituled *An Act for accelerating the making up, Examination and Audit of the Accounts of the Paymaster General of His Majesty's Forces*, whereby, among other things, a different Mode was prescribed for making up the said Annual Accounts, and for transmitting and declaring the same, and acquitting the said Paymaster General thereof: And it was further enacted, that the said Paymaster General should make up a separate Annual Account for Monies paid by his Deputies on Foreign Stations, and that the said last mentioned Account should be transmitted to the said Commissioners, so far as the same could

45 G. 3. c. 52.

§ 6.

§ 8.

46 G. 3. c. 142.

§ 8:

48 G. 3. c. 49.

§ 4.

§ 6.

Paymasters General to make up their Accounts for the Years 1805, 1806 and 1807, agreeable to 48 G.3. c.49.

Accounts transmitted to Commissioners for Public Accounts.

45 G. 3. c. 58.

§ 4.

‘ be made up within Eighteen Months after the Period of the same Account, and should be examined and declared, and an Acquittance thereon made out, as in the said last mentioned Act is mentioned: And whereas great Difficulty has occurred in making up for Examination and Audit the Accounts of the said Paymaster General, for the Years ending on the Twenty fourth Day of December One thousand eight hundred and five, One thousand eight hundred and six and One thousand eight hundred and seven, under the Provisions of the said Acts of the Forty fifth and Forty sixth Years aforesaid; and it is expedient that the said Accounts for the said Three Years should be made up in the Mode prescribed by the said recited Act of the Forty eighth Year aforesaid;’ Be it therefore enacted by the King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the several Paymasters General of His Majesty’s Forces, who held the said Office during the Three Years above mentioned, to make up their several and respective Accounts in the same Mode as is by the said recited Act of the Forty eighth Year aforesaid prescribed with respect to the Accounts of the said Paymaster General for the subsequent Years, as well with regard to Monies paid by the Deputies of the said respective Paymasters General on Foreign Stations or otherwise; and that the said Commissioners for auditing the Public Accounts shall examine or cause to be examined the same, and shall discharge the said respective Paymasters General thereof, and prepare the same for Declaration; and that the said Accounts shall be declared, and a *Quietus* or Acquittance thereon shall be made out in like manner, to all Interests and Purposes, as if the said Act of the Forty eighth Year aforesaid had taken Effect from the Twenty fifth Day of December One thousand eight hundred and four; any thing in the said recited Acts of the Forty fifth and Forty sixth Years aforesaid to the contrary thereof notwithstanding.

II. And be it further enacted, That the Accounts to be made up under this Act, shall be made up and transmitted to the said Commissioners for auditing Public Accounts, with as little Delay as possible, after the passing of this Act.

‘ III. And whereas by an Act passed in the Forty fifth Year of His present Majesty’s Reign, intituled *An Act to repeal an Act made in the Twenty third Year of His present Majesty, for the better Regulation of the Office of Paymaster General of His Majesty’s Forces, and the more regular Payment of the Army; and for the more effectually regulating the said Office*; it is, among other things, enacted, That the Paymaster General of His Majesty’s Forces for the time being, by himself or his Deputy, or the Person or Persons in his Office duly authorized by the said Paymaster General, shall draw upon the Governor and Company of the Bank of England, for all Army Services whatever by Drafts signed by him or his Deputy, or the Person or Persons so authorized, and shall specify in every Draft the particular Head of Service to which the Sum therein mentioned is to be applied; and that no Draft of the said Paymaster or his Deputy, or the Person or Persons authorized as aforesaid, shall be deemed a sufficient Voucher to the said Governor and Company, unless the same shall specify the Service  
‘ for

‘ for which it is drawn, and shall be actually paid by the said Governor and Company : And whereas it is expedient to enable the said Paymaster General to make his Acceptances of Bills of Exchange drawn upon him for Army Services, by his Deputies on Foreign Stations, payable at the Bank of *England* ;’ Be it therefore enacted, That, from and after the passing of this Act, it shall and may be lawful for the said Paymaster General for the time being, by himself or his Deputy, or the Person or Persons in his Office, duly authorized by him, to accept all Bills drawn for Army Services upon the said Paymaster General for the time being, by any Deputy Paymaster, or Assistant Deputy Paymaster of the Forces on any Foreign Station, and by such Acceptance to make such Bills payable at the Bank of *England*, provided that the particular Head of Service to which the Sum in every such Bill of Exchange mentioned is to be applied, be specified either in the original Bill, or in the Acceptance thereof ; and that it shall and may be lawful for the said Governor and Company to pay every such Bill of Exchange so accepted, and that every such Bill of Exchange so accepted, being actually paid by the said Governor and Company, shall be a sufficient Voucher to the said Governor and Company for the Sum therein mentioned ; any thing in the said recited Act to the contrary thereof notwithstanding.

Paymaster General empowered to accept Foreign Bills of Exchange, payable at Bank of England.

## C A P. CI.

An Act to dissolve the Corporation of the *Royal Canal Company* in *Ireland* ; and to appoint Commissioners for enquiring into and examining the Claims of the Creditors of the said Company, and other Matters relating to the said Company ; and to provide for carrying on and completing the Canal from *Dublin* to *Tarmonbury* on the River *Shannon*. [7th July 1813.]

## C A P. CII.

An Act for the Relief of Insolvent Debtors in *England*.

[10th July 1813.]

‘ **W**HEREAS, notwithstanding the occasional Acts which have from time to time passed for the Relief of Insolvent Debtors, and the Discharge of many Prisoners for Small Debts by charitable Donations, great Numbers of Persons generally remain confined for Debt in different Prisons in *England* ; and it is therefore expedient to make a permanent Provision for the Relief of Insolvent Debtors in *England*, under certain Restrictions :’ 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 be lawful for His Majesty to appoint a fit Person, being a Barrister at Law, of Six Years standing at the least, to be His Majesty’s Commissioner for the Relief of Insolvent Debtors, and to preside in a Court to be called “ The Court for Relief of Insolvent Debtors,” which shall be a Court of Record for the Purposes of this Act ; and that when and as soon as the Appointment shall have been notified in the *London Gazette*, such Court shall be deemed to be fully constituted and established : and thereupon it shall be lawful for every Person who shall

Commissioner appointed by His Majesty to preside in a Court, to be called “ The Court for Relief of Insolvent Debtors.” Prisoners in Custody for Three Months,

to apply to such  
Court by Petition.

be a Prisoner in any Prison in that Part of the United Kingdom called *England*, upon any Process whatsoever issuing from any Court whatsoever, for or by reason of any Debt, Damage, Costs, Sum or Sums of Money, or Contempt for Nonpayment of Money, and who shall have been in actual Custody upon some Process for some or one of the said Debts or Demands during the Space of Three Calendar Months or more, to apply by Petition in a summary way to the Court to be established by virtue of this Act, for his or her Discharge from such Confinement, according to the Provisions of this Act; and in such Petition such Prisoner shall state the Prison wherein such Prisoner shall be then confined, the time when such Prisoner was first charged in Custody, or received in Prison upon some Process on which he or she shall then be detained in Prison, together with the Name or Names of the Person or Persons at whose Suit or Prosecution such Prisoner shall, at the time of presenting such Petition, be detained in Prison, and the Amount of the Debts or Sums of Money for which such Prisoner shall be so detained, and shall pray to be discharged from Custody upon all such Process, and to have future Liberty of his or her Person against the Demands for which such Prisoner shall be then in Custody, and against the Demands of all other Persons who shall be named or specified as Creditors, or as claiming to be Creditors of such Prisoner in the Schedule annexed to such Petition, and such Prisoner shall by such Petition offer to convey, assign and deliver to such Person or Persons as the Court shall direct, for the Payment of such Debts and Sums of Money respectively, from which such Prisoner shall seek to be discharged, all such Property as such Prisoner shall possess or have in his or her Power as hereinafter expressed; the Wearing Apparel and Bedding for such Prisoner, and his or her Family, and Working Tools and necessary Implements for his or her Occupation or Calling, and other small Necessaries, not exceeding in the Whole the Value of Twenty Pounds only excepted; and shall also offer to engage to pay so much of all such Debts and Demands respectively as shall be justly due from such Prisoner to such Creditors, and as shall not be discharged by means of the Property so to be conveyed, assigned and delivered in case such Prisoner shall, at any time thereafter, become possessed of sufficient Means for such Purpose; to which Petition shall be annexed a Schedule, containing a full and true Description of all and every the Person and Persons to whom such Prisoner shall then be indebted, or who to his or her Knowledge or Belief shall claim to be a Creditor or Creditors of such Prisoner, with the Nature and Amount of such Debts and Claims respectively, distinguishing such as shall be admitted from such as shall be disputed by such Prisoner; and also a full, just, true and perfect Account and Discovery of all the Estates and Effects, Real and Personal, in Possession, Reversion, Remainder or Expectancy, of every Nature and Kind whatsoever, which such Prisoner, or any other Person or Persons in Trust for such Prisoner, or for his or her Use, Benefit or Advantage, in any manner whatsoever, shall have been or shall be seized or possessed of, or interested in, or entitled unto, or which such Prisoner, or any Person or Persons in Trust for him or her, or for his or her Benefit, shall have had or shall have any Power to dispose of or charge for the Benefit or Advantage of such Prisoner at the time when such Prisoner was first committed to Prison, or charged in Custody for any of the Debts or Sums of Money  
for

Schedule of  
Debts and Effects,  
&c. annexed  
to Petition.

for which such Prisoner shall then be detained in Custody, or at any time subsequent to that time, before and on the Day on which the Truth of such Schedule shall be sworn to by such Prisoner as herein directed; together with a full, just, true and perfect Account of all Debts at such time owing to such Prisoner, or to any Person or Persons in Trust for him or her, or for his or her Benefit or Advantage, either solely or jointly with any other Person or Persons, and the Names and Places of Abode of the several Persons from whom such Debt shall be or shall have been due or owing, and of the Witnesses who can prove such Debts as shall remain due (if any such there shall be), so far as such Prisoner can set forth the same, and in what manner any such Estates or Effects, Real or Personal, of such Prisoner shall have been applied or disposed of since the time when such Prisoner shall have been so first committed to Prison or charged in Custody as aforesaid; and which of such Estate or Effects, or any of them, shall have been in any manner conveyed, assigned, disposed of, charged or incumbered in any manner whatsoever, and when and in what manner, and for what Consideration, and to whom, and for whose Benefit, and which of such Estates and Effects shall, at the time of swearing to such Schedule, be applicable to the Discharge of the Demands of his or her Creditors; and such Schedule shall also fully and truly describe the Wearing Apparel and Bedding of such Prisoner, and his or her Family, and the Working Tools and Implements, and other small Necessaries intended to be excepted by such Prisoner from the Assignment proposed by the said Petition to be made by such Prisoner as aforesaid, together with the Values of such excepted Articles respectively; and such Prisoner shall make Oath of the Truth of such Petition and Schedule to the following Effect, or with such Variations, according to special circumstances, as shall be consistent with the Provisions of this Act:

I *A. B.* upon my corporal Oath, in the Presence of Almighty  
 God, do solemnly swear and declare, That on the  
 Day of \_\_\_\_\_ I was really and truly a Prisoner in  
 the actual Custody of \_\_\_\_\_ in the Prison or Gaol  
 of \_\_\_\_\_ at the Suit of \_\_\_\_\_  
 for the Sum of \_\_\_\_\_ [*as the case may*  
*be*], without any Fraud or Collusion whatever; and that I have ever  
 since been and now am a Prisoner in \_\_\_\_\_ in the actual  
 Custody of the Keeper or Gaoler of \_\_\_\_\_ [*as the*  
*case may be*], or within the Liberties thereof, at the Suit of \_\_\_\_\_  
 and of \_\_\_\_\_ [*as the case may be*],  
 without any Fraud or Collusion whatever; and that I have not  
 taken the Benefit of any Act of Parliament made for the Relief of  
 Insolvent Debtors within the Space of Five Years now last past,  
 and that I have not had at any time since I was committed to  
 Prison, or charged in Custody by the said  
 as aforesaid, any means whatsoever of discharging the Demands of  
 the said \_\_\_\_\_ and of the other Persons  
 named or described as my Creditors, or as claiming to be my Cre-  
 ditors, in the Schedule hereunto annexed, and subscribed by me,  
 except the Estates and Effects mentioned in the said Schedule;  
 and that I have not now any means of discharging such Demands,  
 except so much of the said Estates and Effects as still remain appli-  
 cable

Form of Oath of  
Truth of Petition  
and Schedule.

' cable for that Purpose, as expressed in the said Schedule; and  
 ' that all the Estates and Effects which I have disposed of since I  
 ' was so first committed to Prison, or charged in Custody, have been  
 ' necessarily expended by me for the Maintenance of myself and  
 ' Family, and for Law Charges and other unavoidable Expences  
 ' during my Confinement, and in Payment of just Debts due and  
 ' owing by me before or since the said Day of  
 ' when I was first committed to Prison or detained in  
 ' Custody, at the Suit of the said  
 ' as aforesaid; and that the said Schedule doth contain, to the best  
 ' of my Knowledge and Belief, a full, just, true and perfect Account,  
 ' and Discovery of all the Estates and Effects, Real and Personal, in  
 ' Possession, Reversion, Remainder or Expectancy, and of every  
 ' Nature and Kind soever, which I now am, or which any Person or  
 ' Persons in Trust for me, or for my Use, Benefit or Advantage,  
 ' now is or are seized, possessed of, interested in, or entitled unto, or  
 ' which was or were in my Possession, Custody or Power, or in the  
 ' Possession, Custody or Power of any such Person as aforesaid, or  
 ' which I or any Person or Persons had any Power of disposing of or  
 ' charging for my Benefit or Advantage at the time I was so first  
 ' committed to Prison, or charged in Custody by the said  
 ' as aforesaid, or at any time since that time,  
 ' and of all Debts owing to me or to any Person or Persons in Trust  
 ' for me or for my Benefit, either solely or jointly with any other Per-  
 ' son or Persons, and of all Securities and Contracts whereby any  
 ' Money now is or will or may hereafter become payable, or any Be-  
 ' nefit or Advantage may accrue or might have accrued to me or my  
 ' Use, or to any Person or Persons in Trust for me or for my Benefit,  
 ' at the time I was so first committed to Prison, or charged in  
 ' Custody as aforesaid, and the Names and Places of Abode of the  
 ' several Persons from whom such Debts are or were due and owing,  
 ' and of the Witnesses who can prove such Debts or Contracts as  
 ' remain due or unperformed, so far as I am able to set forth the  
 ' same, and that neither I nor any Person or Persons in Trust for me,  
 ' or for my Use and Benefit, to my Knowledge or Belief, have or has  
 ' any Land, Money, Stock or other Estate or Effects whatsoever,  
 ' Real or Personal, in Possession, Reversion, Remainder or Expec-  
 ' tancy, or of any Nature or Kind whatsoever, or any Power of dis-  
 ' posing of or charging for my Benefit or Advantage any Property  
 ' whatsoever, other than such as are in the said Schedule contained  
 ' or expressed, except the Wearing Apparel and Bedding for myself  
 ' and Family, Working Tools, and the necessary Implements for my  
 ' Occupation and Calling, and other small Necessaries, not exceeding  
 ' in the Whole the Value of Twenty Pounds, mentioned and de-  
 ' scribed in the said Schedule, and intended to be excepted from the  
 ' Assignment intended to be made by me; and that I have not, nor  
 ' hath or have any Person or Persons for me, directly or indirectly,  
 ' sold, lessened or otherwise conveyed or disposed of in Trust or  
 ' otherwise, except as hereinbefore expressed, or in any manner  
 ' concealed any Part of my Lands, Money, Goods, Chattels, Stocks,  
 ' Debts, Securities, Contracts, Estates or Effects, Real or Personal,  
 ' whereby to secure the same for my own Benefit, or whereby I may  
 ' receive or expect to receive any Profit or Advantage therefrom, or  
 ' with



‘ with any Intent to defraud or deceive any Creditor or Creditors  
 ‘ to whom I am or was indebted in any wise howsoever.

‘ So help me GOD.’

And the said Oath shall and may be administered to such Prisoner by such Court, or by any Officer of such Court appointed by such Court for that Purpose, or by a Justice of the Peace for the County, Riding, Division or Place in which such Prisoner shall be detained in Custody, and the said Petition, and Schedule and Oath, shall be respectively subscribed by such Prisoner, in the Presence of the Person by whom such Oath shall be administered, who shall certify the Subscription thereof respectively by such Prisoner; and such Petition Schedule and Oath shall be filed in the said Court, which Court shall thereupon name a Day for hearing the Matter of such Petition; and a Copy of such Petition, Schedule and Oath shall be served on the several Person or Persons who shall be specified in such Petition as the Person or Persons at whose Suit such Prisoner shall be then detained in Custody, or on his, her or their Attorney or Solicitor, in the Action or Actions, Suit or Suits, in respect of which such Prisoner shall be so detained, together with a Copy of the Order of the Court upon such Petition, Twenty Days at the least before the Day appointed for hearing the Matter of such Petition, by delivering such Copies respectively to such Person or Persons respectively, or leaving the same with the Wife, Clerk or Servant of such Person or Persons respectively, at his, her or their usual Place of Abode; and Notices in Writing that such Petition had been presented, and such Schedule and Oath filed in the said Court, together with a Copy of the Order on such Petition, shall be served in like manner on all and every the Person or Persons named or described in the said Schedule as Creditors, or as claiming to be Creditors of the said Prisoner, and against whose Demands such Prisoner shall seek to be discharged, or on the Attorney or Solicitor of any Creditor, in any Action or Suit brought against such Prisoner for the Demand of such Creditor; and such Service shall, on the Hearing of the Matter of the said Petition, be proved on Oath to the Satisfaction of the Court.

II. Provided always, and be it further enacted, That in case it shall be made appear to the Satisfaction of the said Court, that the Creditors of such Prisoner, exclusive of those at whose Suit such Prisoner shall be then detained in Custody, are so numerous, or their Residence so remote, that the Expence of serving such Creditors with Notice of the Application of such Prisoner for his or her Discharge, would be so considerable that such Prisoner might be unable to procure such Service, to be duly made in manner hereinbefore directed, or that for any other reason it will be fit, in the Judgment of the said Court, to dispense with such Service, with respect to all or any of such Creditors, it shall be lawful for the said Court to order that Notice of the Petition of such Prisoner for his or her Discharge may, instead of being served on such Creditors respectively, be inserted in the *London Gazette*, and in such Two or more Newspapers as the said Court shall direct, and in such Form of Words as the said Court shall approve, Twenty Days at the least before the Day appointed for hearing the Matter of the said Petition, and that such Notice shall be deemed sufficient Notice to the Creditors named or described therein; or to substitute some other Mode of Notice, which in the Judgment of the said Court may appear

Court, or a Justice to administer Oath.

Copy of Petition, Schedule and Oath, delivered to every Creditor.

If Creditors numerous, Notice inserted in *London Gazette*, and in Two or more Newspapers, as Court shall direct.

appear reasonable; and upon such Notice so given to the Satisfaction of the said Court, it shall be lawful for the said Court to proceed on such Petition with respect to all such Creditors as shall be named, or described in such Notice, in the same manner as the said Court might have done if such Creditors had been respectively served with Notice as hereinbefore directed.

Insertion of Advertisements, 3s.

III. Provided always, and be it hereby enacted, That the Sum of Three Shillings and no more shall be paid to any Printer or Proprietor of any Newspaper for the Insertion of any such Advertisement aforesaid; and all Printers and Proprietors of Newspapers are hereby required to insert the same on the Payment of the said Sum of Three Shillings for the Insertion thereof; and that no such Advertisement shall be liable to the Payment of, or be chargeable or charged with the Payment of any Stamp or other Duty whatsoever.

Stamp Duty.

Court may proceed where Notice not given in London Gazette, &c. if Creditors cannot be found.

IV. Provided always, and be it enacted, That in case it shall be made appear to the Satisfaction of the said Court, that any of the Persons required to be served with such Petition, Schedule, Oath, Order or Notice, is or are beyond the Seas, or cannot be found, so as to be served with such Petition, Schedule, Oath and Order, as required by this Act, and the said Court shall not think fit to order Notice to such Persons to be inserted in the *London Gazette* and such Newspapers as aforesaid, or to substitute any other Mode of Notice, it shall be lawful for the said Court to proceed upon the said Petition notwithstanding such Defect in the Service thereof; but in such case such Prisoner shall not be in any manner discharged from the Demands of the Person or Persons who shall not be so served, or with respect to whom such Notice shall not be given in the *London Gazette* and such Newspapers as aforesaid, or in such other substituted Mode of Notice as shall be approved of by the said Court, unless such Person or Persons shall appear before the said Court and oppose the Discharge of such Prisoner, or consent to the Proceeding of the Court, notwithstanding any such Defect of Service.

Previous Residence out of the Kingdom.

V. Provided always, and be it further enacted, That if any Prisoner seeking the Benefit of this Act shall within Two Years before he or she shall seek the Benefit of this Act, have resided in any Place or Places out of the United Kingdom, and shall during such Residence have contracted in such Place or Places any Debt from which he or she shall seek to be discharged by virtue of this Act, such Prisoner shall not be discharged under the Authority of this Act from any such Debt, without the Consent of the Person or Persons to whom such Debt shall be due, unless such Prisoner shall at the time of such Application be in actual Custody for such Debt, or shall be actually sued, or shall have been sued in some Court of Law or Equity in *England* for the same; in any of which cases Notice of the Application for the Discharge of such Prisoner shall be given to the Creditor or Creditors so detaining in Custody or suing or having sued such Prisoner, or to the Attorney or Solicitor employed in the Action or Suit then depending for such Debt or Debts, or to the Attorney or Solicitor employed in any Suit for such Debt or Debts before instituted but not depending, if the Court to be established by virtue of this Act shall think fit to allow of Service on such Attorney or Solicitor, instead of personal Service on such Creditor or Creditors.

VI. Pro-

VI. Provided also, and be it further enacted, That in case of any Defect in the Service of such Petition, Schedule, Oath or Order, it shall be lawful for the said Court from time to time to allow further time for such Purpose, and to make an Order or Orders for adjourning the Hearing of the Matter of the said Petition, in the whole or with respect to any particular Person or Persons, to give Opportunity for such Service; and in case the said Petition, Schedule, Oath and original Order, together with such further Order or Orders, shall be duly served according to the Provisions of this Act, on the Person or Persons not before duly served Twenty Days before the Day appointed for hearing the Matter of the said Petition on any such further Order, it shall be lawful for the said Court to proceed on such Service, as the said Court might have done if the said Petition, Schedule, Oath and original Order, had been duly served according to the Provisions before contained in this Act.

Hearing of Petitions may be deferred in case of Defect of Service.

VII. And be it further enacted, That upon the Day appointed by the said Court for hearing the Matter of the said Petition, or upon such subsequent Day as the said Court shall appoint for such Purpose, the said Court shall cause such Prisoner to be brought before the said Court, or before such Person or Persons as the said Court shall direct, according to the Provisions of this Act, to be examined touching the Truth of the Matter contained in the said Petition and Schedule; and any of the Creditors of such Prisoner, and any of the Persons named or described in such Schedule, as claiming to be Creditors of any such Prisoner, and any Person or Persons not named or described in such Schedule, who shall claim to be a Creditor or Creditors of such Prisoner, shall be at Liberty to oppose such Petition, and for that Purpose to put such Questions to such Prisoner as the said Court shall think fit, touching the Matters contained in such Petition and Schedule, and touching such other Matters as the said Court shall be of Opinion it may be fit and proper that such Questions should be put for the due Execution of this Act, and such Prisoner shall answer all such Questions upon Oath; and in case such Prisoner shall not so answer all such Questions to the Satisfaction of the said Court, or in case it shall be made appear to the Satisfaction of the said Court from such Answers as shall be given by such Prisoner or by Evidence, that such Prisoner is not entitled to the Benefit of this Act, then and in such case such Court shall so declare, and shall remand such Prisoner to Custody: Provided always, that in case such Court shall entertain any Doubt touching any Matter alleged against such Prisoner to prevent his or her Discharge, or touching the Examination of such Prisoner, it shall be lawful for such Court to remand such Prisoner to Custody, and afterwards to cause such Prisoner to be again brought up for Examination as often as to such Court shall seem fit.

On hearing Petitions, Creditors may oppose.

Court, if not satisfied, may remand Prisoner.

VIII. Provided always, and be it further enacted, That in case the said Court shall see fit, it shall be lawful for the said Court to order that any Prisoner, instead of being brought before the said Court for Examination, for any of the Purposes of this Act, shall from time to time be examined on Oath as Occasion shall require, touching any Matters for the Purposes of this Act, by one or more of His Majesty's Justices of the Peace for the County, Riding, Division or Place, within or near to which such Prisoner shall be detained in Custody, either at a General Session of the Peace, or any Adjournment

Court may order Prisoners to be examined by Justices, either in Session or out of Session, &c. of which Notice shall be given.

Certificate.

Stamp Duty.

Fees.

Claiming to be Creditors not duly served with Notice, to be added to Schedule.

Court so to adjudge where they are of Opinion Prisoners are entitled to Benefit of Act, &c.

Assignees appointed, and Engagements entered into for Payment of Debts not satisfied.

Adjournment thereof, or out of Session, who are hereby respectively empowered and required to take such Examination pursuant to such Order; and such Notice shall be given of the Time and Place to be appointed for such Examination as the said Court to be established by virtue of this Act, shall direct; and such Prisoner shall, according to such Order, be carried before the Person or Persons appointed thereby to examine such Prisoner, for which such Order shall be a sufficient Warrant; and such Prisoner shall answer upon Oath all such Questions as shall be put to such Prisoner pursuant to such Order; and the Person or Persons taking such Examination shall certify to such Court the Examination of such Prisoner, and all Matters relating thereto, as such Court shall direct; and such Court shall proceed upon such Certificate in such manner as to such Court shall seem just; and such Examination or Certificate, or either of them, shall not be liable to or charged with any Stamp Duty or Duties whatsoever; and the Clerk of the Peace or other Officer of such Sessions, or the Clerk of such Justice or Justices, shall be paid for every such Examination after the Rate of Four pence for every Folio, for taking and swearing or affirming the same; and the further Sum of Two pence for every Folio for such Certificate, and procuring the Signature of the Justices thereto, and fair Copy of such Examination to return with such Certificate, and no more; and each of such Folio shall contain not less than Seventy two Words.

IX. And be it further enacted, That in case any Person or Persons claiming to be a Creditor or Creditors of any Prisoner, shall oppose the Petition of such Prisoner for his or her Discharge, such Person or Persons, although not duly served with such Petition, Schedule, Oath or Order as aforesaid, shall be considered as having had due Notice thereof, and the Name or Names of such Person or Persons shall be added to the said Schedule by the said Court, either as a Creditor or Creditors, or as claiming to be a Creditor or Creditors of such Prisoner.

X. And be it further enacted, That in case the said Court shall be of Opinion that such Prisoner is entitled to the Benefit of this Act, then and in such case the said Court shall so order and adjudge, and shall in such Order specify the several Creditors and Persons claiming to be Creditors of such Prisoner, who shall appear to have been duly served with Notice of such Proceedings, as required by this Act, or with respect to whom Notice shall appear to have been given in the *London Gazette* and other Newspapers, in pursuance of the Order of the said Court for that Purpose, or in such other manner as the said Court shall direct, or who shall have appeared before the said Court, and opposed the Discharge of such Prisoner, or consented to the Proceeding of the Court with respect to their Demands, notwithstanding any Defect of Service of such Notice; and the said Court shall in such Order also specify the several Persons against whose Demands such Prisoner shall be deemed by such Court entitled to be discharged by virtue of this Act; and such Court shall appoint a proper Person or proper Persons to be Assignee or Assignees of the Estate and Effects of such Prisoner, for the Purposes of this Act, and shall order proper Conveyances and Assignments of such Estate and Effects to be made by such Prisoner according to this Act, together with an Engagement to be executed by

by such Prisoner to pay so much of the just Debts and Demands of the several Persons against whom such Prisoner shall by such Court be adjudged entitled to the Benefit of this Act, as shall not be paid out of the Estate and Effects to be conveyed and assigned by such Prisoner for such Purpose, in case he or she shall at any time thereafter be enabled to pay such Debts and Demands, or to pay such Part or Parts thereof as he or she shall be able at any time to pay; and shall also order all Books, Papers and Writings, in the Custody or Power of such Prisoner, relating to the Estate and Effects of such Prisoner, and the Demands of his or her Creditors, to be delivered on Oath to such Assignee or Assignees, or otherwise to be disposed of as such Court shall direct; and upon the due Execution of all such Conveyances, Assignments and Engagements as aforesaid, and Delivery of such Books, Papers and Writings as aforesaid, as such Court shall direct, such Court shall order such Prisoner to be discharged from Custody, and Judgment shall thereupon be entered in such Court against such Prisoner in pursuance of such Engagements as aforesaid, which Judgment shall and may, if the said Court shall so order, be executed against the future Estate and Effects of such Prisoner, Real and Personal, as the said Court shall direct, and shall bind the Assets of such Prisoner, Real and Personal, in the Hands of his Heirs, Executors and Administrators, for the full Amount of the Debts and Demands aforesaid, which shall remain unsatisfied, or so much of such Debts and Demands as the said Court shall be of Opinion ought to be satisfied, and Execution shall be had upon such Judgment in such and the same manner as Execution may be had upon a Judgment of the Court of King's Bench nevertheless, according to the Orders of the Court to be established by virtue of this Act, and in conformity to the Provisions in this Act contained.

Books, &c. of  
Prisoner deli-  
vered up.

Prisoner dis-  
charged, but  
Judgment en-  
tered against  
future Estate.

XI. Provided always, and be further enacted, That in case any Prisoner who shall be discharged by virtue of this Act, shall be entitled to any Copyhold or Customary Estate, the same shall be surrendered or conveyed by such Prisoner according to the Custom of the Manor of which such Estate shall be holden, either to the Assignee or Assignees of the Estate and Effects of such Prisoner, or to any Purchaser or Purchasers of any such Copyhold or Customary Estate from such Assignee or Assignees, as the said Court shall direct, and the Rents and Profits thereof shall be in the mean time received by such Assignee or Assignees for the Benefit of the Creditors of such Prisoner, without Prejudice nevertheless to the Lord or Lords of the Manor of which any such Copyhold or Customary Estate shall be holden.

Copyhold or  
Customary  
Estate surren-  
dered to Assignees.

XII. And whereas Prisoners discharged by virtue of this Act may be entitled to Annuities for their own Lives, or other uncertain Interests, or to reversionary or contingent Interests, or to Property under such Circumstances, that the immediate Sale thereof for Payment of their Debts may be very prejudicial to them, and deprive them of the Means of Subsistence which they might otherwise have after Payment of their Debts; and it may be proper in some cases to authorize the raising of Money by way of Mortgage for Payment of the Debts, or Part of the Debts of a Prisoner discharged by virtue of this Act, and defraying Expences attending the Execution of this Act, instead of selling the Property of such Prisoner for

Sale of Annuities or contingent Interests restrained by Court.

for such Purposes; Be it enacted, That in all such cases, it shall be lawful for the said Court to take into Consideration all circumstances affecting the Property of any Prisoner who shall be discharged by virtue of this Act, either at the time of the Discharge of such Prisoner, or at any subsequent time; and if it shall appear to the said Court, that it would be reasonable to make any Special Order touching the same, it shall be lawful for the said Court so to do, and to direct that such Property as it may be expedient not to sell, or not to sell immediately, according to the Provisions of this Act, shall not be so sold, and from time to time to order and direct in what manner such Property shall be managed for the Benefit of the Creditors of such Prisoner, until the same can be properly sold, or until Payment of all such Creditors according to the Provisions of this Act, and to make such Order touching the Sale or Disposition of such Property as to the said Court shall seem reasonable, considering the Rights of the Creditors of such Prisoner to Payment of their Demands, and the future Benefit of such Prisoner after Payment of his or her Debts, and upon such Terms and Conditions with respect to the Allowance of Interest on Debts not bearing Interest, or other circumstances, as to the said Court shall seem just; and if it shall appear to the said Court that the Debts of such Prisoner can be discharged by means of Money raised by way of Mortgage on any Property of such Prisoner, instead of raising the same by Sale, it shall be lawful for the said Court so to order, and to give all necessary Directions for such Purpose, and generally to direct all things which may be proper for the Discharge of the Debts of such Prisoner in such manner as may be most consistent with the Interests of such Prisoner, in any Surplus of his or her Effects after Payment of such Debts.

Court may on Complaint of Creditor, within One Year, avoid Discharge of Prisoner, on being satisfied that he obtained his Discharge fraudulently.

XIII. Provided always, and be it further enacted, That in case any Creditor against whom any Prisoner shall have obtained his or her Discharge by virtue of this Act, shall within One Year after the Date of the Order for such Discharge, apply to the said Court to avoid such Discharge as improperly obtained, and upon such Application it shall appear to the Satisfaction of the Court that such Prisoner has acted in any manner fraudulently in obtaining such Discharge, or has wilfully concealed any of his or her Estate or Effects by not specifying or not properly specifying the same in such Schedule as aforesaid, for the Purpose of depriving the Creditors against whom he shall have obtained such Discharge of the Benefit thereof, it shall be lawful for such Court to declare the Discharge so obtained by such Prisoner null and void; and it shall thereupon be lawful for any Creditor or Creditors of such Prisoner against whom such Discharge shall have been obtained, to proceed against such Prisoner as if such Discharge had not been obtained, such Creditor or Creditors relinquishing all Benefit of the Assignment of the Estate or Effects of such Prisoner which shall remain unapplied by the Assignee or Assignees appointed under this Act; and any of such Creditors who shall have detained such Prisoner in Custody at the time of such Discharge shall be at Liberty to apply to such Court to remand such Prisoner again into Custody on the same Process from which he or she had been so discharged; and such Court shall have Power to remand such Prisoner accordingly, by Warrant under the Hand and Seal of the Commissioner of the said Court, which

which Warrant shall be executed by an Officer of the said Court to be appointed for such Purpose, and shall be sufficient Authority for the Arrest and Detention of such Prisoner, upon the Process from which such Prisoner was before discharged; and so much (if any) of the Estate or Effects of such Prisoner as shall then remain in the Hands of the Assignee or Assignees thereof, after paying all the just Charges and Expences of such Assignee or Assignees to be allowed by the said Court, shall be reconveyed or re-assigned or paid to such Prisoner as the said Court shall direct; but so much of such Estates and Effects as shall have been before applied in Payment of the Debts of such Prisoner, shall be retained by the Creditors who shall have received the same in Part of their respective Demands, excepting only the Creditor or Creditors who shall apply to the Court to avoid such Discharge, who shall repay the Dividend or Dividends received by him, her or them respectively, to the Assignee or Assignees of the Estate and Effects of such Prisoner, before such Order, declaring such Discharge null and void, shall be delivered out by the said Court.

XIV. And be it further enacted by the Authority aforesaid, That in case any Prisoner who shall have been discharged by virtue of this Act, shall become able to pay all or any Part of the Debts due from him or her, and against which he or she shall have obtained such Discharge, after a reasonable Allowance for the Maintenance of such Debtor, and his or her Family, and Payment of his or her Debts, contracted after such Discharge, or to which such Discharge did not extend, it shall and may be lawful for any Creditor or Creditors against whom he or she shall have obtained such Discharge, to apply to the Court for Liberty to proceed against such Debtor, notwithstanding such Discharge; and in case it shall appear to the Satisfaction of such Court, that such Debtor is of Ability to pay such Demand, or any Part thereof, it shall be lawful for such Court to revoke such Discharge either wholly or upon Payment of such Sum or Sums of Money for the Benefit of the Persons against whom such Discharge shall have been obtained, either in gross, or by several Payments, as to such Court shall appear reasonable, or to permit Execution to be taken out on the Judgment entered up in such Court upon the Engagement of such Prisoner, for such Sum of Money as the said Court shall think fit, to be distributed rateably amongst the Creditors entitled under such Engagement, and such Proceedings shall and may be had according to the Discretion of the said Court from time to time, until the whole of the Debts due to the several Persons against whom such Discharge shall have been obtained, shall be fully paid and satisfied, together with such Costs as such Court shall think fit to award: Provided always, that in case any such Application shall appear to the Court to be ill founded and vexatious, it shall be lawful for the Court not only to refuse to make any Order on such Application, but also to dismiss the same, with such Costs as to the Court shall appear reasonable.

XV. And be it further enacted, That all and every Person who shall, at any time after the Expiration of Six Calendar Months from the Date of the Appointment of any Assignee or Assignees of the Estate and Effects of any Prisoner under the Authority of this Act, voluntarily come and make Discovery of any Part of such Prisoner's

When it shall appear to Court after Prisoner shall have obtained Discharge that he is able to pay his Debts, Court shall revoke such Discharge.

Vexatious Applications.

Allowance for a Discovery of Prisoner's Estate Six Months after Appointment of Assignees.

Estate not specified in the said Schedule and not before come to the Knowledge of the Assignee or Assignees of such Prisoner's Estate, either to the said Assignee or Assignees or the Commissioner of the said Court, shall be allowed Five Pounds *per Centum*, and such further and other Reward as the said Assignee or Assignees, or the major Part in Value of the Creditors of such Prisoner present at any Meeting of the said Creditors, shall think fit, to be paid out of the net Proceeds of such Prisoner's Estate which shall be recovered on such Discovery, which shall be paid to the Person or Persons so discovering the same by the said Assignee or Assignees, who shall be allowed the same in his, her or their Accounts.

Disclosure of  
Estate of Prison-  
er Six Months  
after Discharge.

XVI. And be it further enacted, That all and every Person and Persons who hath or have accepted or shall accept any Trust or Trusts, or shall be possessed of and wilfully conceal or protect any Estate Real or Personal, of any Prisoner who shall be discharged under the Authority of this Act, and knowing such Discharge, shall not, within the Space of Six Calendar Months after such Discharge, disclose such Trust and Estate in Writing, either to the Assignee or Assignees of such Prisoner's Estate, or to the Commissioner of the said Court, and submit himself, herself and themselves to be examined touching the same on Oath before such Commissioner, or before such Person being a Justice of the Peace as he shall appoint, if thereunto required, and truly discover and disclose the same and all Particulars thereof, shall forfeit the Sum of One hundred Pounds of lawful Money of *Great Britain*, and Double the Value of the Estate whether Real or Personal so concealed, to and for the Use of the Creditors of such Prisoner, to be recovered by Action of Debt in any of His Majesty's Courts of Record at *Westminster*, in the Name of the Assignee or Assignees of such Prisoner, or of any One of his, her or their Creditors who shall first sue for the same, with full Costs of Suit.

Penalty.

On Prisoner  
dying leaving  
Assets sufficient,  
Creditors may  
apply to Court to  
proceed on  
Judgment en-  
tered into on his  
Engagement to  
pay Debts not  
satisfied.

XVII. And be it further enacted, That in case any Prisoner who shall have been discharged by virtue of this Act, shall die leaving Assets Real or Personal, after Payment of all his or her Debts, exclusive of the Debts from which such Prisoner shall have obtained such Discharge, it shall be lawful for the Person or Persons entitled to so much of such Debt or Debts, from which such Discharge shall have been obtained as shall remain unpaid, to apply to the said Court for Liberty to proceed on the Judgment entered in the said Court on the Engagement of such Prisoner, in order to obtain Payment of so much of such Debt or Debts as shall then remain due as aforesaid, and such Court shall make such Order thereupon as shall be just; and the Heirs, Executors or Administrators of such deceased Prisoner shall apply the Assets in his, her or their Hands according to such Order, but without Prejudice to the Demand of any other Creditor or Creditors of such deceased Prisoner, all of which shall be first paid or satisfied: Provided always, that in case it shall at any time be made appear to such Court, that the Estate or Effects of such Prisoner, conveyed or assigned under the Authority of this Act, would have been sufficient, if carefully and properly managed, to have satisfied all the Debts from which such Prisoner had been discharged, or to have satisfied a larger Proportion of such Debts than shall have actually been paid therewith, then and in any such case such Court shall not authorize any further Proceedings against such



such Prisoner, or his or her Assets, except for so much of the Debts of such Prisoner as could not have been satisfied out of the Estate and Effects so conveyed and assigned in case the same had been carefully and properly managed and rendered productive for the Discharge of such Debts: Provided also, that in no case Interest shall be allowed on any such Debt from the time of such Discharge until the said Court shall order that Interest shall again run upon Debts bearing Interest, which shall be wholly in the Discretion of the said Court as hereinafter provided.

Interest.

XVIII. And be it further enacted by the Authority aforesaid, That all the Estate, Right, Title, Interest and Trust of every Prisoner who shall be discharged by virtue of this Act, of, in and to all the Real Estate as well Freehold as Copyhold or Customary, and of, in and to all the Personal Estate, Debts and Effects of every such Prisoner, shall immediately from and after the Order of such Court as aforesaid for the Discharge of such Prisoner, be and the same are hereby vested in the Person or Persons to whom the same shall, by the Order of the said Court, be directed to be conveyed and assigned as aforesaid, in case such Person or Persons shall consent to accept the same; and the Conveyance and Assignment which shall be made in Pursuance of such Order shall be without Stamps, and shall, together with this Act, be good and effectual in Law, to all Intents and Purposes whatsoever, to vest the Estate and Effects therein comprised in the Person or Persons to whom the same shall, by Order of such Court, be directed to be conveyed and assigned as aforesaid, his, her or their Heirs, Executors, Administrators and Assigns, according to the Estate and Interest which the Prisoner had therein, and every such Conveyance and Assignment shall be in Trust for the Benefit of the Creditor or Creditors of every such Prisoner against whom such Prisoner shall have obtained his or her Discharge by virtue of this Act, in respect of and in Proportion to the Debts justly due to them respectively; and every Person and Persons to whom any such Assignment and Conveyance as aforesaid shall be made, is and are hereby empowered to sue from time to time, as there may be Occasion, in his, her or their own Name or Names, for the Recovery and obtaining Possession of any Estate or Effects of any such Prisoner, and also to execute any Power vested in or created for the Use and Benefit of any such Prisoner, and to give such Discharge and Discharges to any Person or Persons who shall respectively be indebted to such Prisoner, as may be requisite: Provided always, that nothing herein contained shall extend to prejudice or affect any Estate, Interest or Right whatsoever, of any Person or Persons, other than such Prisoner, expectant upon or subject to any Estate or Interest of such Prisoner so vested in such Assignee or Assignees as aforesaid, but that the Estate, Interest and Right whatsoever of every other Person and Persons shall continue and remain and be secured to him, her and them respectively, in the same manner as if this Act had not been made.

Estate of Prisoners vested in Persons to whom same by Order of Court shall be directed to be conveyed in Trust for Benefit of Creditors.

Proviso.

XIX. And be it further enacted by the Authority aforesaid, That every such Assignee or Assignees as aforesaid shall, with all convenient Speed, after his, her or their accepting such Assignment or Conveyance, use his or her or their best endeavours to receive and get in the Estate and Effects of every such Prisoner, and shall, with all convenient Speed, make Sale of all the Estate and Effects of such

Assignees to get in Estate and Effects of Prisoner, and make Dividend to Creditors at the End of Three Months, &c.

such Prisoner vested in such Assignee or Assignees; and if such Prisoner shall be interested in or entitled to any Real Estate, either in Possession, Reversion or Expectancy, the same, within the Space of Two Months after such Assignment and Conveyance, shall be sold by public Auction, in such manner, and at such Place or Places, as the major Part of the Creditors of such Prisoner entitled to the Benefit thereof, who shall assemble together on any Notice in Writing published in the *London Gazette*, and in some daily Paper printed and published in *London*, or within the Bills of Mortality, if the Prisoner, before his or her going to Prison, resided in *London*, or within the Bills of Mortality; and if such Prisoner resided elsewhere, then in some printed Newspaper which shall be published and generally circulated in or near the County, Riding, Division, City, Town, Liberty or Place in which such Prisoner resided before he or she was committed to Prison, Thirty Days before any such Sale shall be made, shall, under his, her or their Hand or Hands, approve; and every such Assignee or Assignees, at the End of Three Months at the farthest from the time of his, her or their accepting any such Assignment or Conveyance as aforesaid, and so from time to time as Occasion shall require, shall make a fair and just Dividend of all such Prisoner's Estate and Effects which shall have been then recovered amongst such Creditors of such Prisoner, from whose Demand such Prisoner shall have obtained a Discharge as before mentioned, in Proportion to the just Debts due to them respectively; but before any such Dividends shall be made, such Assignee or Assignees shall make up an Account of such Prisoner's Estate, and make Oath in Writing before an Officer of the said Court to be appointed for that Purpose, or before One or more Justice or Justices of the Peace of the County, Riding, Division, City, Town, Liberty or Place in which such Assignee or Assignees shall reside, that such Account contains a fair and just Account of the Estate and Effects of every such Prisoner got in by or for such Assignee or Assignees, and of all Payments made in respect thereof, and that all Payments in every such Account charged were truly and *bona fide* made and paid, which Account so sworn shall be filed with the proper Officer of the said Court, and Notice of the making of every such Dividend shall be published in like manner as a Meeting of Creditors is hereinbefore directed to be published, Thirty Days at least before such Dividend shall be made; and no Creditor shall be allowed to receive any Share of such Dividend until he shall have made due Proof of his or her Debt, by Oath, before some such Justice or Justices of the Peace; and if such Prisoner, or his or her Assignee or Assignees, or any Creditor of such Prisoner, shall object to any Debt so claimed, the same shall be examined into by the said Court, who shall have full Power for that Purpose, to require and compel the Production of all Books, Papers and Writings which may be necessary to be produced, as well by the Person or Persons claiming such Debt, as by the Prisoner against whom the same shall be claimed, or his or her Assignee or Assignees, and to examine all such Persons and their Witnesses on Oath, as the nature of the case may require, and to take all other Measures necessary for the due Investigation of such Claim; and the Decision of the said Court upon such Claim shall be conclusive with respect to any Dividend of the Effects of such Prisoner under the Provisions of this Act.

XX. And

XX. And be it further enacted, That in case the Prisoner so discharged, or any of his or her Creditors, against whom he or she shall have obtained such Discharge, shall be dissatisfied with the Account of any Assignee or Assignees, rendered upon Oath as aforesaid, or in case any such Assignee or Assignees shall neglect to render such Account, or shall neglect to dispose of the Property or collect the Effects of such Prisoner, or shall in any Manner waste or mismanage the Estate or Effects of such Prisoner, or neglect to make a due Distribution thereof, it shall be lawful for such Court, upon the Application of such Prisoner, or of any such Creditor as aforesaid, to require such Assignee or Assignees to render such Account on Oath as directed by this Act, if not before rendered, and to examine any Account so rendered, and to enquire into any Waste, Mismanagement or Neglect of the Estate or Effects of such Prisoner, and direct a proper Administration thereof, and ascertain the Produce of such Estate and Effects to be divided amongst the Creditors of such Prisoner, and direct the Distribution thereof accordingly, and to require and compel the Production of all Books, Papers and Writings necessary for such Purposes, and to examine all Parties and their Witnesses on Oath, as the case may require, and to take all such Measures as shall be necessary for the compelling the rendering of such Account and the due Investigation thereof, and the proper Disposition and Distribution of the Effects of such Prisoner according to this Act, and to award Costs against any of the Parties, as Justice shall require; and the Decisions of the said Court upon all such Matters shall be final and conclusive.

Court to compel Assignees to give a satisfactory Account of Effects of Prisoner.

Books, &c. produced.

XXI. And be it further enacted, That all and every Creditor and Creditors of any Prisoner who shall be discharged by virtue of this Act for any Sum or Sums of Money payable by way of Annuity or otherwise, at any future time or times, by virtue of any Bond, Covenant or other Security of any nature whatsoever, shall be entitled to be admitted a Creditor or Creditors, and to receive a Dividend or Dividends of the Estate of such Prisoner, in such manner, and upon such Terms and Conditions as such Creditor or Creditors would have been entitled unto such Dividends by the Laws now in force, if such Prisoner had become Bankrupt, and without Prejudice in future to their respective Securities, otherwise than as the same would have been affected by Proof made in respect thereof by the Creditor under a Commission of Bankrupt, and a Certificate obtained by the Bankrupt under such Commission, but subject nevertheless to the Terms of the Engagement of such Prisoner for future Payment of his or her Debts, in case such Prisoner should become able to pay the same as hereinbefore directed.

Creditors for Annuities, &c. entitled to Dividends in such manner as if Prisoner had become Bankrupt, &c.

XXII. Provided always, and be it further enacted, That from the Date of any such Order of Discharge as aforesaid, all Interest on any Debt bearing Interest of the Prisoner so discharged, shall cease, and shall not be computed in the Amount of such Debt in the Distribution of the Estate and Effects of such Prisoner under the Authority of this Act, but if it shall appear to the Satisfaction of the said Court that such Estate and Effects alone or together with the future Estate and Effects of such Prisoner, are not only sufficient for Payment of the Principal of all the Debts of such Prisoner payable thereout under the Authority of this Act, together with all other Debts of such Prisoner, and to afford such Prisoner competent means of future Subsistence,

Interest on Debts of Prisoner to cease, unless his Effects are sufficient to bear it.

but are so considerable as to render it fit that Interest should be allowed on Debts of such Prisoner bearing Interest from any Period after the Date of such Order of Discharge, it shall be lawful for the said Court to order such Interest to be paid accordingly, and to fix the time from which such Interest shall be computed, having regard always to the unproductive State of the Effects of such Prisoner during the Administration thereof, under the Authority of this Act.

Assignees not to commence any Suit without Consent of Creditors.

XXIII. And be it further enacted, That no Suit in Law or Equity shall be commenced by any Assignee or Assignees of any such Prisoner's Estate and Effects without the Consent of the major Part in Value of the Creditors of such Prisoner, who shall meet together pursuant to a Notice for that Purpose, to be given at least Ten Days before such Meeting, in the *London Gazette*, or other Newspaper, as hereinbefore required, previous to the Sale of any Estate of such Prisoner.

Officer of Court to produce its Proceedings when required.

XXIV. And be it further enacted, That the proper Officer of the Court to be established by virtue of this Act shall, on the reasonable Request of such Prisoner, or of any Creditor or Creditors of such Prisoner, or his, her or their Attorney, produce and shew to such Prisoner, Creditor or Creditors, or his, her or their Attorney, at such times as the said Court shall direct, such Petition, Schedule, Oath, Order and Judgment, and all other Orders and Proceedings made and had in such Matter; and that a true Copy of every such Petition, Schedule, Oath, Order, Judgment and other Proceedings, signed by the Officer in whose Custody the same shall be, or his Deputy, certifying the same to be a true Copy of such Petition, Schedule, Order, Judgment or other Proceeding, as the case may be, without being written on stamped Paper, shall at all times be admitted in all Courts whatever, as legal Evidence of the same respectively.

Copy, Evidence.

Mortgages, &c. on Estate of Prisoner not to be affected, &c.

XXV. Provided also, and be it further enacted, That nothing in this Act shall extend or be construed to prevent any Mortgage, Charge or Lien, upon the Estate of such Prisoner, or any Part thereof, made prior to the Discharge of such Prisoner by virtue of this Act, to take place upon the Lands, Tenements or Hereditaments, or Personal Estate and Effects comprised in or charged or affected by such Mortgage, Charge or Lien respectively, nor to prevent any Statute Staple, Statute Merchant, Recognizance or Judgment acknowledged by or obtained against any such Prisoner, prior to such Discharge, to take place upon the Lands, Tenements or Real Estates of such Prisoner, and also where any Inquisition shall have been taken upon any Statute or Recognizance, or any Writ or Execution shall have been taken out and delivered to the Sheriff or proper Officer upon any such Judgment, before such Prisoner shall have obtained his or her Discharge as aforesaid, the Personal Estate of such Prisoner shall be subject thereto, for so much as shall remain due upon such Statute, Recognizance or Judgment respectively, in like manner as the same would have been subject respectively, if this Act had not been made; any thing hereinbefore contained to the contrary notwithstanding.

XXVI. And whereas a Prisoner who may be entitled to and claim the Benefit of this Act, may be seized and possessed of or entitled to Lands, Tenements or Hereditaments, to hold to such Prisoner for the Term of his or her Life, or other limited Estate, with Power of granting Leases either at Rack Rents, or taking

Fines

‘ Fines and referring small Rents for One, Two or Three Lives, in Possession or Reversion, or for some Number of Years determinable upon Life or Lives, or for Years absolute, or may have Powers over Real or Personal Estate, which such Prisoner could execute for his or her own Advantage, and which said Powers ought to be executed for the Benefit of the Creditors of such Prisoner;’ Be it therefore enacted by the Authority aforesaid, That in every such case all and every the Powers of Leasing, and all such other Powers as aforesaid, over Real or Personal Estate, which are or shall be vested in any such Prisoner as aforesaid, shall be and are hereby vested in the Assignee or Assignees of the Real and Personal Estate of such Prisoner by virtue of this Act, to be by such Assignee or Assignees executed for the Benefit of all and every the Creditors of such Prisoner as aforesaid

Power of leasing of Lands, &c. in Prisoner, vested in Assignees for Benefit of Creditors.

XXVII. Provided always, and be it further enacted, That nothing in this Act contained shall extend to entitle the Assignee or Assignees of the Estate and Effects of any Prisoner being an Officer of the Army or Navy, or beneficed Clergyman or Curate, to the Pay of such Officer, or the Income of any Benefice or Curacy, for the Purposes of this Act: Provided always, nevertheless, that it shall be lawful for such Assignee or Assignees to apply for and obtain a Sequestration of the Profits of any such Benefice, for the Payment of the Debts of any such Clergyman, against which such Clergyman shall have obtained a Discharge by virtue of this Act; and the Order for such Discharge shall be a sufficient Warrant for the granting of such Sequestration, without any Writ or other Proceeding to authorize the same; and such Sequestration shall accordingly be issued as the same might have been issued upon any Writ of *Levari Facias* founded upon any Judgment against such Clergyman: Provided also, that it shall be lawful for the said Court to order such Portion of the Pay or Half Pay of any such Officer of the Army or Navy, as on Communication from the said Court to the Secretary at War, or the Lords Commissioners of the Admiralty or their Secretary, he or they may respectively consent to by Writing under the Hand of the said Secretary at War, or the Lords Commissioners or Secretary of the Admiralty, to be applied in Payment of his Debts, and for that Purpose to be paid to his Assignee or Assignees, and such Order and Consent being lodged in the Office of the Paymaster of His Majesty's Forces, or of the Treasurer of the Navy, as the case shall require, such Paymaster or Treasurer shall give Directions accordingly, and such Proportion of the Pay or Half Pay of such Officer as shall be specified in such Order and Consent shall be paid to his Assignee or Assignees, until the said Court shall make Order to the contrary.

Pay of Officer or Income of any Benefice not affected; but Assignees may obtain a Sequestration of Profits of such Benefice.

XXVIII. And be it further enacted, That if any Prisoner who shall apply for his or her Discharge under the Provisions of this Act, or any other Person taking an Oath under the Provisions of this Act, shall wilfully forswear and perjure himself or herself in any Oath to be taken under this Act, and shall be lawfully convicted thereof, he or she so offending shall suffer such Punishment as by Law may be inflicted on Persons convicted of wilful and corrupt Perjury.

Perjury.

XXIX. And be it further enacted, That no Prisoner who shall have obtained his or her Discharge by virtue of this Act, shall at any time after such Discharge, so long as the same shall remain in force, be

Prisoner discharged not to be arrested for same Debt.

be imprisoned by reason of any Judgment or Decree obtained for Payment of Money only, or for any Debt, Damages, Contempt for Non payment of Money, Costs or Sums of Money contracted, incurred, occasioned, owing or growing due, with respect to which such Discharge shall have been obtained, but that upon every Arrest upon any such Judgment or Decree, or for any such Debt, Damage, Contempt, Costs, Sum and Sums of Money, it shall and may be lawful for any Judge of the Court from which any such Process shall have issued, upon shewing to such Judge the Copy of the Order for such Discharge as aforesaid, and upon Affidavit that such Discharge still remains in force, to release from Custody such Prisoner as aforesaid; and at the same time, if such Judge shall in his Discretion think fit, to order the Plaintiff or Plaintiffs in such Suit or Suits, or other Person or Persons suing out such Process, to pay such Prisoner the Costs which he or she shall have incurred on such Occasion, or so much thereof as to such Judge shall seem just and reasonable, such Prisoner causing a common Appearance to be entered for him or her in the Action or Suit for any such Debt as aforesaid.

**Prisoner not to be discharged of any Debt incurred subsequent to Application for Discharge.**

XXX. Provided always, and be it further enacted, That no Prisoner shall be discharged by virtue of this Act, of any Debt or other Matter accrued or incurred subsequent to the Application of such Prisoner to be so discharged; and if it shall appear to the Court to be established by virtue of this Act, that any Prisoner applying to be discharged as aforesaid, stands charged in Custody with any Debt or other Matter accrued or incurred subsequent as well as previous to such Application, then and in such case it shall and may be lawful to and for such Court to discharge the Person of such Prisoner only from such Debts or other Matters as had accrued or been incurred previous to such Application, and to remand him or her back to the Custody of the Keeper of the Prison from whence he or she was brought, for all Debts and other Matters for which he or she shall stand charged, and which shall have accrued or been incurred subsequent to such Application.

**General Issue.**

XXXI. And be it further enacted, That if any Action of Escape, or any Suit or Action be brought against any Judge, Justice of the Peace, Sheriff, Gaoler or Keeper of any Prison, or other Person, for performing the Duty of his Office, in pursuance of this Act, such Judge, Justice, Sheriff, Gaoler or Keeper, or other Person may plead the General Issue, and give this Act in Evidence; and if the Plaintiff be nonsuited or discontinue his or her Action, or Verdict shall pass against him or her, or Judgment should be had upon Demurrer, the Defendant shall have Treble Costs.

**Treble Costs. Action against Prisoner discharged, how defended.**

XXXII. And be it further enacted, That if any *Scire Facias*, or Action of Debt, or upon Judgment or any other Suit or Action shall be brought against any Prisoner, his or her Heirs, Executors or Administrators, upon any Judgment obtained against any such Prisoner, or any Statute or Recognizance acknowledged by him or her, or any other Cause of Action from which such Prisoner shall have obtained his or her Discharge, by virtue of this Act, except under the Order of Court to be established by virtue of this Act, it shall and may be lawful for any such Prisoner, his or her Heirs, Executors or Administrators, to plead generally that such Prisoner was duly discharged from such Debt or Demand, according to this Act, by the Order by which such Discharge shall have been obtained, and that

that such Discharge remains in force, without pleading any other Matter specially, whereto the Plaintiff or Plaintiffs shall or may reply generally, and deny the Matters pleaded as aforesaid, or reply any other Matter or Thing which may shew the Defendant or Defendants not to be entitled to the Benefit of this Act, or that such Prisoner was not duly discharged according to the Provisions of this Act, in the same manner as the Plaintiff or Plaintiffs might have replied, in case the Defendant or Defendants had pleaded this Act, and his Discharge by virtue of this Act specially; and if the Plaintiff or Plaintiffs be nonsuited, discontinue his or her Action, or Verdict pass against him, her or them, or Judgment shall be had on Demurrer, the Defendant or Defendants shall have Double Costs.

XXXIII. Provided always, and be it further enacted, That in case it shall appear to the Satisfaction of the Court to be established by virtue of this Act, that any Prisoner who shall apply for a Discharge by virtue of this Act, has wantonly wasted his or her Estate or Effects whilst in Prison, or fraudulently disposed thereof, or any Part thereof, with Intent to deprive his or her just Creditors of the Benefit thereof, or has wilfully remained in Prison, although entitled to be discharged therefrom by virtue of this Act, or otherwise with Intent to consume his or her Property in Prison, instead of applying the same to the Discharge of his or her just Debts, such Prisoner shall not be entitled to the Benefit of this Act, unless on special Circumstances the said Court shall think fit to grant such Discharge.

XXXIV. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to release or discharge any Attorney at Law, Solicitor, or any other Person acting or pretending to act as such with regard to any Debt or Demand for any Money or other Effects recovered or received by him for the Use of any Person or Persons, Bodies Corporate or Politic, and by any such Attorney, Solicitor or other Person acting as such, embezzled, concealed or converted to his own Use; or to release or to discharge any Servant or other Person employed or entrusted as such, with regard to any Debt or Demand for or on account of any Money, Goods or other Effects received or possessed by him or her for the Use and Account of his or her Master or Masters, or Employer or Employers, and by such Servant or other Person so embezzled, concealed or converted to his or her own Use; or to release or discharge any Person with regard to any Debt or Demand arising from or created by any Breach of Trust or Confidence; any thing herein contained to the contrary thereof in any wise notwithstanding; unless the Person or Persons to whom such Debt or Demand shall be due or owing shall consent to the Discharge of such Prisoner by virtue of this Act, or unless such Prisoner shall have been confined in Prison for such Debt or Demand for the Space of Ten Years before the time when such Prisoner shall apply for his or her Discharge by virtue of this Act.

XXXV. Provided also, and be it further enacted, That no Prisoner who knowingly and designedly, by false Pretence or Pretences, or under any fictitious Name or Names, assumed for the Purposes of obtaining Credit or by any other fraudulent means shall have obtained from any Person or Persons Money, Goods, Wares, Merchandizes, Bonds, Bills of Exchange, Promissory Notes, or other Securities for Money, or other Effects; or who shall have contracted

Double Costs.

Prisoner wantonly wasting Effects in Prison, not entitled to Benefit of Act.

Attornies, Servants, &c. embezzling Money, not entitled to Benefit of Act, unless Creditors consent, or Prisoner confined Ten Years.

No Prisoner obtaining Credit by false Pretences, or removing Effects liable to be distrained for Rent, entitled to Benefit of Act,

unless Creditors consent, or Prisoner confined Five Years.

contracted any Debt by fraudulently obtaining false Credit or by any other fraudulent means, or who shall have fraudulently removed or cause to have been removed any Stock, Cattle, Goods or Effects of the Value of Thirty Pounds or upwards, which were subject or liable to be distrained by his or her Landlord or Landlords for any Rent or Rents, whereby such Landlord or Landlords shall have lost all or some Part of such Rent or Rents, shall have any Discharge by or under this Act, from the Debt or Demand arising from or remaining due in consequence of such fraudulent Conduct; unless the Person or Persons who shall be entitled to such Debt or Demand shall consent to the Discharge of such Prisoner by virtue of this Act, or such Prisoner shall have been confined in Prison for such Debt or Demand for the Space of Five Years before the time when such Prisoner shall apply for his or her Discharge by virtue of this Act.

Prisoner suffering Bail to be charged.

XXXVI. Provided also, and be it further enacted, That no Prisoner who shall have suffered any Person, who has become Bail or Surety for such Prisoner, to be charged in respect of such Bail or Surety, shall be discharged by virtue of this Act from any Debt or Demand arising on such Account, without the Consent of the Person or Persons entitled to such Debt or Demand.

Prisoner charged in Execution for Damages recovered in certain Actions, not entitled to Discharge without Consent of Person injured, or unless confined Five Years.

XXXVII. Provided also, and be it further enacted, That no Prisoner who shall be charged in Execution for Damages recovered in any Action for Criminal Conversation with the Wife of the Plaintiff in such Action, or in any Action for seducing or carnally knowing the Daughter or Female Servant of the Plaintiff in such Action, or in any Action for a Malicious Prosecution, or in any Action for any other Malicious Injury, shall have any Discharge from such Debt or Damages under this Act, unless the Person or Persons entitled to the Benefit of such Debt or Damages shall consent to the Discharge of such Prisoner by virtue of this Act; or unless such Prisoner shall have been confined in Prison, for such Debt or Damage, for the Space of Five Years before the time when such Prisoner shall apply for his or her Discharge under this Act.

Bankrupt who shall not have obtained his Certificate, &c.

XXXVIII. Provided also, and be it further enacted, That no Prisoner against whom any Commission of Bankrupt shall have issued and shall remain in force, and who shall not have obtained a Certificate of his or her Conformity to the several Statutes concerning Bankrupts under such Commission, shall be entitled to be discharged by virtue of this Act from any Debt for which such Prisoner shall be detained in Custody, and which might have been proved under such Commission, unless such Prisoner shall have been so detained in Prison for the Space of Five Years before the time when such Prisoner shall apply for his or her Discharge under this Act.

Prisoner assigning Estate after Imprisonment, so that Creditors cannot have Benefit thereof, to lose Benefit of Act.

XXXIX. And whereas Debtors may, with a view to defraud their Creditors, sell, transfer, convey or assign their Estate and Effects, or some Part thereof, but it may be difficult to prove that such Sale or Transfer, Conveyance or Assignment, was made with a fraudulent Design; Be it enacted, That whenever it shall be proved by one or more credible Witnesses or Witnesses, or by the Confession of any Prisoner, who shall apply for his or her Discharge by virtue of this Act, that such Prisoner has, since the time of contracting any Debt of or from which he or she shall so seek to be discharged, sold, transferred, conveyed or assigned to any Person or Persons all or



or any Part of his Estate or Effects subsequent to the time of his Imprisonment, without just Cause for so doing (to be determined by the Court to be established by virtue of this Act), and such Sale, Transfer, Conveyance or Assignment, shall remain in force, so that the Creditors of such Prisoner cannot have the Benefit of such Estate or Effects under this Act, without Suit at Law or Equity, every such Prisoner shall lose all the Benefit and Advantage that he or she might otherwise have claimed under the Authority of this Act, unless all the Creditors of such Prisoner against whom such Prisoner shall seek to be discharged by virtue of this Act will consent to such Discharge.

‘ XL. And whereas many Prisoners squander their Property by playing at Cards, Dice, and other unlawful Games whilst in Prison, to the great Injury of their Creditors;’ Be it enacted, That nothing in this Act shall extend or be construed to extend to discharge or release any Prisoner who hath or shall have lost, since the time of his or her Commitment to Prison for any Debt with which he or she shall stand charged at the time when Application shall be made for his or her Discharge by virtue of this Act, the Sum or Value of Ten Pounds in any One Day, or Fifty Pounds in the whole, since such Commitment as aforesaid, in playing at or with Cards, Dice, Tables, Tennis, Bowls, Billiards, or any other Game or Games whatsoever, or in or by bearing a Share or Part in the Stakes, Wagers or Adventures, or in or by betting on the Sides or Hands of such as do play as aforesaid, unless all the Creditors of such Prisoner against whom such Prisoner shall seek to be discharged by virtue of this Act shall consent to such Discharge, or unless such Prisoner shall have been confined in Prison for the Space of Five Years at the least, since the time when any such Money was so lost as aforesaid.

Prisoner losing Money by Gaming not to have Benefit of Act, unless with Consent of Creditors, or confined Five Years,

XLI. Provided also, and be it further enacted, That if any Prisoner seeking the Benefit of this Act, shall appear to the Court to whom Application shall be made for such Purpose, to have made, within Five Years before the Application of such Prisoner to be discharged by virtue of this Act, any Conveyance or Assignment of all or any Part of his or her Estate or Effects in Trust or otherwise for the Benefit of any particular Creditor or Creditors, with Intent to give an undue Preference to such Creditor or Creditors, and afterwards to obtain a Discharge from the Demands of any other Creditor or Creditors by virtue of this Act, such Prisoner shall have no Benefit of this Act, unless such Person or Persons for whose Benefit any such Conveyance or Assignment shall have been made shall first relinquish the same; and all such Estate and Effects shall be conveyed or delivered to such Person or Persons as the Court shall direct, for the Benefit of all the Creditors of such Prisoner under the Provisions of this Act; or unless all the Creditors against whom such Discharge shall be sought shall consent thereto.

Prisoner who shall have made Conveyance of Estate in Trust for particular Creditors not to have Benefit of Act.

‘ XLII. And whereas the Estates both Real and Personal of any Prisoner who may be discharged by virtue of this Act may not be sufficiently described or discovered in the Schedule before directed to be delivered upon Oath by such Prisoner, or the Assistance of such Prisoner may be necessary to adjust, make out, recover or manage his Estate or Effects for the Benefit of his or her Creditors;’ Be it therefore enacted by the Authority aforesaid, That it shall and may

Assignees may apply to the Court to have Prisoner who has obtained his Discharge, further examined.

may be lawful to and for the Assignee and Assignees of the Estate and Effects of any such Prisoner who shall obtain his or her discharge in pursuance of this Act, from time to time to apply to the Court to be established by virtue of this Act, that such Prisoner may be further examined as to any Matters or Things relating to his or her Estate and Effects, either by such Court, or by any Justice of the Peace for the County, Riding, Division or Place where such Prisoner shall then reside; and if such Court shall direct any such Examination before any such Justice, such Justice shall send for or call before him such Prisoner, by such Warrant, Summons, Ways or Means as he shall think fit; and if such Prisoner shall appear before such Justice, such Justice shall examine him or her upon Oath, or otherwise, as to such Matters and Things as such Assignee or Assignees shall desire relating to the Estate and Effects of such Prisoner; and if any such Prisoner, on Payment or Tender of Payment of such reasonable Charges as such Justice shall judge sufficient, shall neglect or refuse to appear before such Justice, not having a lawful Excuse allowed by such Justice, or, being come before such Justice, shall refuse to be sworn or to answer such Questions as by such Justice shall be put to him or her, relating to the Discovery of his or her Estate and Effects vested or intended to be vested in such Assignee or Assignees as aforesaid, as required by the Order of the said Court, such Justice shall certify such Default to the said Court, and thereupon, and also in case such Prisoner shall neglect or refuse to appear before such Court to be examined by such Court, if the Court shall think fit so to order, or, appearing before such Court, shall refuse to be sworn, or to answer such Questions as shall be put to him or her relating to the Discovery of his or her said Estate or Effects, then and in any of such cases it shall be lawful for the Commissioner of such Court, by Warrant under his Hand and Seal, to commit such Prisoner so offending to the Common Gaol of any County or Place, there to remain without Bail or Mainprize, until such time as he or she shall submit himself or herself to such Commissioner, and answer upon Oath or otherwise as shall be required, to all such lawful Questions as shall by such Commissioner be put or ordered to be put to him or her for the Purposes aforesaid.

Imprisonment.

Assignees, with Consent of Majority of Creditors, may take Composition from Debtors of Prisoner.

XLIII. And be it further enacted, That it shall and may be lawful at all times hereafter, for any Assignee or Assignees of the Estate and Effects of any Prisoner discharged by virtue of this Act, by and with the Consent of the major Part in value of the Creditors of such Prisoner who shall be present at a Meeting to be had on Twenty one Days' Notice being previously given for the Purpose in the *London Gazette*, if the Prisoner was in Custody in *London*, or within the Weekly Bills of Mortality, at the time of his or her Discharge, and if not, then in some Newspaper which shall be published and circulated in the County, City or Place in or near which such Prisoner shall have been so in Custody, to make Composition with any Person who shall be a Debtor or Accountant to such Prisoner, where a Composition shall appear necessary or reasonable, and to take such reasonable Part of any Debt due to such Prisoner as can upon any such Composition be gotten, in full Discharge of such Debt, and also to submit to Arbitration, any Difference or Dispute between such Assignee or Assignees, and any Person or Persons, for or on account or by reason of any Matter, Cause or Thing, relative to the Estate or Effects of such

such Prisoner; and every such Assignee or Assignees is or are hereby indemnified for what he, she or they shall fairly do in the Premises, in pursuance of this Act.

XLIV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Court to be established by virtue of this Act, from time to time, upon the Petition of any Prisoner, or of any Creditor or Creditors of such Prisoner, complaining of any Insufficiency, Fraud or Misconduct of any Assignee or Assignees of the Estate and Effects of such Prisoner, to summon all Parties concerned, and upon hearing the Parties concerned, to make and give such Orders and Directions therein, either for the Removal of such Assignee or Assignees and appointing any new Assignee or Assignees in the Place of such Assignee or Assignees so to be removed, and for the prudent, just and equitable Management and Distribution of the Estate and Effects of any such Prisoner for the Benefit of his or her Creditors, as the said Court shall think fit; and in case of the Removal of any Assignee or Assignees, and the appointing of any new Assignee or Assignees, the Estate and Effects of such Prisoner shall from thenceforth be divested out of the Assignee or Assignees so removed, and be vested in and delivered over to such new Assignee or Assignees, in the same manner, and for the same Intents and Purposes as the same were before vested in the Assignee or Assignees first appointed; any thing in this Act contained to the contrary notwithstanding.

Court may hear Complaints against Assignees, and may remove them.

XLV. And be it further enacted, That in case of the Death or Incapacity of any Assignee of the Estate and Effects of any Prisoner discharged by virtue of this Act, or in case any Assignee shall be unwilling to Act as Assignee, it shall and may be lawful to and for any Creditor of such Prisoner to apply to the said Court to appoint a new Assignee or Assignees, with like Powers and Authorities as are given by this Act to the original Assignee or Assignees; and the said Court shall have Power to appoint such new Assignee or Assignees, and to oblige any Assignee who shall be removed, and the Heirs, Executors, Administrators and Assigns of any deceased Assignee, to account for and deliver up all such Estate and Effects, Books, Papers, Writings, Deeds, and all other Evidences relating thereto, as shall remain in his, her or their Hands, to be applied for the Purposes of this Act; and the Decision of the said Court thereupon shall be final and conclusive.

In case of Death or Incapacity of Assignee, another appointed.

XLVI. And be it further enacted, That in case any Assignee or Assignees of the Estate and Effects of any Prisoner discharged by virtue of this Act, or the Heirs, Executors or Administrators of any deceased Assignee or Assignees, shall not deliver over any Part of such Estate or Effects, or pay the Balance of the Produce of any such Estate or Effects found to be in the Hands of such deceased Assignee or Assignees, or of such Heirs, Executors or Administrators as aforesaid, according to the Order of the said Court, it shall be lawful for the said Court, by Warrant under the Hand and Seal of the said Commissioner, directed to the proper Officer of the said Court to be appointed for that Purpose, to order the Person or Persons disobeying such Order to be arrested, and committed to the next County Gaol, there to remain, without Bail or Mainprize, until such Person or Persons shall have obeyed such Order, and paid all such Costs as the said Court shall award to be paid in respect thereof, or until such Court shall make other Order to the contrary.

Assignees, &c. not paying over Balance of Estate in their Hands proceeded against.

Imprisonment.

XLVII. And

Committed for Contempt of Courts, in not paying Costs, &c. entitled to Benefit of Act.

‘ XLVII. And whereas Persons are often committed by the Courts of Law and Equity for Contempts in not paying Money ordered or awarded to be paid, and also for not paying of Costs duly and regularly taxed and allowed by the proper Officer, after proper Demands made for that Purpose, and also upon the Writ *De Excommunicato capiendo*, or other Process, for or grounded on the Non payment of Money, Costs or Expences, in some Cause or Proceeding in some Ecclesiastical Court, or for Contempt of such Court by Non payment of Money, Costs or Expences;’ Be it further enacted, That all such Persons so committed shall be entitled to the Benefit of this Act, on and subject to the same Terms, Conditions and Restrictions, as are herein expressed and declared with respect to Prisoners for Debt only.

Affirmation of Quaker taken.

XLVIII. And be it further enacted, That in all cases wherein by this Act an Oath is required, the solemn Affirmation of any Person being a Quaker shall and may be accepted and taken in lieu thereof; and every Person making such Affirmation, who shall be convicted of wilful false Affirmation, shall incur and suffer such and the same Penalties as are inflicted and imposed upon Persons convicted of wilful and corrupt Perjury.

Perjury.

XLIX. And whereas Prisoners claiming the Benefit of this Act may be liable to be deprived of such Benefit on account of mere Matters of Form, or Errors or Omissions in their Petitions, Schedules or other Proceedings directed by this Act; Be it further enacted, That it shall and may be lawful to and for the Court to be established by virtue of this Act, to amend Matters of Form, and to supply Omissions, or to correct Errors in the Petition, Schedule or other Proceedings directed by this Act, in case the same shall appear to the said Court to have arisen from Ignorance, Mistake or Inadvertency, and not to have been wilful and fraudulent; any thing hereinbefore contained to the contrary notwithstanding.

Proceedings in Court may be amended.

Persons taking Benefit of Insolvent Act within Five Years, not entitled to Relief.

L. Provided always, and be it further enacted, That no Person who shall have taken the Benefit of any Act heretofore passed for the Relief of Insolvent Debtors shall have the Benefit of this Act, or be deemed to be within the Intent and Meaning thereof, so as to be discharged under the same, until the Expiration of the Term of Five Years from the time of such former Discharge; any thing hereinbefore contained to the contrary thereof notwithstanding; unless from special Circumstances the said Court should be of Opinion that it would be just and reasonable that such Prisoner should be again discharged by virtue of this Act.

Crown Debtors, or Persons committed for Offences against Revenue, not entitled to Benefit of Act.

LI. Provided always, and be it further enacted, That this Act shall not extend, or be construed to extend, to discharge any Prisoner seeking the Benefit of this Act, with respect to any Debt or Penalty with which he or she shall stand charged at the Suit of the Crown, or of any Person for any Offence committed against any Act or Acts of Parliament relative to His Majesty's Revenues of Customs, Excise, Stamp or Salt Duties, or any of them, or any Branches of the said Public Revenue, or at the Suit of any Sheriff or other Public Officer, upon any Bail Bond entered into for the Appearance of any Person prosecuted for any Offence committed against any Act or Acts of Parliament relative to His Majesty's said Revenues of Customs, Excise, Stamps or Salt Duties, or any other Branches of Public Revenue, unless Three of the Lords Commissioners of His Majesty's

Treasury

Treasury for the time being shall certify under their Hands their Consent to the Discharge of such Prisoner, upon the Terms and Conditions prescribed by this Act.

LII. Provided always, and be it further enacted, That no Person who shall have been at any time discharged by virtue of this Act shall again be entitled to the Benefit thereof within the Space of Five Years after such Discharge, unless Three fourths in Number and Value of the Creditors against whom such Person shall seek to be discharged by virtue of this Act shall signify his, her or their Assent to such Discharge, or it shall be made appear to the Satisfaction of the Court to be established by virtue of this Act, that such Person has since his or her former Discharge endeavoured by Industry and Frugality to pay all just Demands upon him or her, and has incurred no unnecessary Expence, and that the Debts which such Person has incurred, subsequent to such former Discharge, have been necessarily incurred for the Maintenance of such Person, or his or her Family, or that the Insolvency of such Person has arisen from Misfortune, or from Inability to acquire Subsistence for himself or herself, and his or her Family, or from Debts incurred prior to such former Discharge, to which such Discharge did not extend, or from Debts incurred subsequent to such Discharge in consequence of Engagements entered into or Acts done prior to such Discharge.

Prisoner discharged, not entitled to Benefit within Five Years, unless Debts be necessarily incurred, &c.

LIII. Provided always, and be it further enacted, That no Person, not being a natural born Subject of this Realm, shall have the Benefit of this Act, except under such circumstances, and on such Terms and Conditions, as to the said Court to be established by virtue of this Act shall seem fit and reasonable; any thing in this Act contained to the contrary notwithstanding.

Foreigners.

LIV. Provided always, and be it further enacted, That if any Objection shall be made to the Discharge of any Prisoner on the Ground of any Misconduct of such Prisoner, and it shall appear to the said Court that such Prisoner might not have been aware of such Objection so as to be able to answer the same, such Court shall allow such Prisoner sufficient time to answer such Objection; and shall also, if necessary, require such Objection to be stated in Writing to such Prisoner, so that such Prisoner may be fully apprized thereof.

Time allowed to answer Objection to Discharge of Prisoner.

LV. Provided also, and be it further enacted, That in case it shall appear to the Satisfaction of the said Court, that any Misconduct which shall be attributed to any Prisoner to prevent his or her Discharge, although strictly within the Intent and Meaning of this Act, was nevertheless attended with such circumstances, or the Injury thereby done was to so small an Amount, that it may not be fit that such Prisoner should on that Account be deprived of the Benefit of this Act, it shall be lawful for the said Court to discharge such Prisoner, notwithstanding any Objection founded on such Misconduct, either in the same manner as if such Objection had not been made, or on such further Terms and Conditions as to the said Court shall appear reasonable, in consequence of such Misconduct: Provided also, that in case it shall appear to the Satisfaction of the said Court, that any Debt contracted by any Prisoner seeking to be discharged by virtue of this Act, was contracted under any fraudulent Circumstances not specially provided by this Act, it shall be lawful for the said Court to except such Debt from the Discharge to be granted to such Prisoner,

Court empowered to discharge notwithstanding Objection on Ground of Misconduct.

Debt contracted fraudulently not discharged.

Prisoner, either absolutely, or upon such Terms and Conditions as to the said Court shall appear to be proper; and if such Prisoner shall be in actual Custody for such Debt, it shall be lawful for the said Court to remand such Prisoner according to the Determination of the said Court upon such Debt.

Prisoners of un-  
found Mind.

LVI. And be it further enacted, That if any Person who shall at any time be a Prisoner in any such Prison as aforesaid, upon any such Process as aforesaid, shall be or become of unsound Mind, and therefore incapable of taking the Benefit of this Act in such manner as he or she might have done if of sound Mind, the Gaoler or Keeper of such Prison shall forthwith require One or more Justice or Justices of the Peace for the County, Riding, Division or Place wherein such Prison shall be, to attend at the said Prison, and enquire into the State of Mind of such Prisoner; and thereupon, and also in case any such Justice or Justices shall receive Information by other means that any such Prisoner is of unsound Mind as aforesaid, such Justice or Justices shall go to the said Prison, and by his, her or their own View, and by Examination on Oath of such Person or Persons as he or they shall think fit to examine, shall enquire into the State of Mind of such Prisoner; and if it shall appear to such Justice or Justices upon such Enquiry, that such Prisoner is of unsound Mind, and therefore incapable of taking the Benefit of this Act in such manner as a Person of sound Mind might do, such Justice or Justices shall forthwith make a Record of the Fact, and certify the same to the Court to be established by virtue of this Act; and thereupon it shall be lawful for such Court, at the Instance of any Person or Persons on Behalf of such Prisoner, to order Notice to be inserted in the *London Gazette*, and in Two or more public Newspapers usually circulated in the Neighbourhood of such Prison, and in the Neighbourhood of the usual Residence of such Prisoner before he or she was committed to such Prison, as the said Court shall see fit, and shall in such Order specify and direct that Application will be made to such Court for the Discharge of such Prisoner, on a Day to be specified in such Order, being Twenty Days at the least from the Day of Publication of such One of such Gazette and Newspapers, containing such Notice as shall be last published; which Notice, together with Service of the like Notice on the Creditor or Creditors at whose Suit such Prisoner shall be detained in Custody, or his, her or their Attorney or Attornies in such Suit, shall be deemed sufficient to authorize the said Court to proceed to the Discharge of such Prisoner, if otherwise entitled to such Discharge, according to the true Intent and Meaning of such Act; and such Court shall proceed accordingly, and shall discharge such Prisoner, in case it shall appear that such Prisoner might have obtained his or her Discharge under this Act, if of sound Mind; and thereupon such Court shall direct a Conveyance and Assignment to be made of the Estate and Effects of such Prisoner, and Engagement for the Payment of his or her Debts, according to the Provisions of this Act, to be executed by the Clerk of the said Court in the Name and on the Behalf of such Prisoner; which Conveyance, Assignment and Engagement shall be made accordingly, unless such Prisoner shall have been found a Person of unsound Mind by Inquisition taken under a Commission in the Nature of a Writ *De Lunatico inquirendo*, in which case such Conveyance, Assignment and Engage-

Engagement shall be executed by the Committee or Committees of such Lunatic, in such manner as shall be directed by the Lord Chancellor, Lord Keeper or Lords Commissioners for the Custody of the Great Seal of the United Kingdom, or such Person or Persons as shall be authorized by the Royal Sign Manual to provide for the Care and Custody of the Persons and Estates of Persons found Lunatic by Inquisition, and such Conveyance, Assignment and Engagement so made, shall be sufficient to all Intents and Purposes to vest the Property of such Prisoner in the Person or Persons to whom the same shall be directed by the said Court to be conveyed and assigned, and shall bind such Prisoner, his or her Heirs, Executors and Administrators, as fully and effectually as if such Conveyance, Assignment and Engagement respectively had been duly executed by such Prisoner.

LVII. And be it further enacted, That it shall be lawful for the Commissioner of the Court to be established by virtue of this Act, to appoint such and so many Officers of such Court for carrying into Execution the Purposes of this Act, as the Lord Chancellor, Lord Keeper, Lords Commissioners for the Custody of the Great Seal of the United Kingdom, together with the Lord Chief Justices of the King's Bench and Common Pleas, and the Chief Baron of the Exchequer for the time being, shall from time to time deem to be necessary and expedient for such Purposes; and such Court shall be always open, and shall be ordinarily holden in some convenient Place or Places in the Cities of *London* or *Westminster*, or in the County of *Middlesex*, within the Bills of Mortality.

Commissioner of Court to appoint Officers.

LVIII. And be it further enacted, That One of the Judges of One of the Courts of King's Bench, Common Pleas and Exchequer at *Westminster*, shall be nominated and appointed by such Courts on the First Day of every Term after the passing of this Act, to be a Judge of a Court of Appeal from the Court to be established by virtue of this Act; and such Court of Appeal shall hear and determine all Appeals from any Orders of the Court to be established by virtue of this Act, except such Orders as are herein specially directed to be final and conclusive, and such Court of Appeal shall have full Power to affirm, reverse or alter any such Order, except as aforesaid, as to such Court of Appeal shall seem just and reasonable, with or without Costs; and the Decisions of such Court of Appeal shall in all cases be final and conclusive.

Court of Appeal

Decisions final

LIX. And be it further enacted, That this Act shall continue in force until the First Day of *November* in the Year One thousand eight hundred and eighteen, and thenceforth until the End of the then next Session of Parliament, and no longer.

Continuance of Act.

LX. Provided always, and be it further enacted, That this Act or any Part thereof may be repealed or altered by any Act or Acts to be made in this present Session of Parliament.

Act repealed, &c.

## C A P. CIII.

An Act to authorize the Commissioners to transfer Excise Licences to the Executors or Administrators of deceased licensed Traders, or to their Successors, in the Houses from which such licensed Traders shall have removed.

[10th July 1813.]

43 G. 3. c. 69.  
Sch. A. tit.  
Licences.

WHEREAS by an Act made in the Forty third Year of the Reign of His present Majesty King George the Third, intituled *An Act to repeal the Duties of Excise payable in Great Britain, and to grant other Duties in lieu thereof*; certain Duties of Excise are imposed for and upon all Licences to be taken out, according to the Laws in each case made and provided, by every Common Brewer of Table Beer, not being a Common Brewer of Strong Beer; every Common Brewer of Strong Beer; every Maker of Wax Candles or Spermaceti Candles for Sale; every Dealer in or Seller of Wax or Spermaceti Candles, not being a Maker of such Candles; every Chandler or Maker of Candles other than Wax or Spermaceti Candles for Sale; every Person trading in, vending or selling Coffee, Tea, Cocoa Nuts or Chocolate; every Glass Maker; every Tanner; every Tawer; every Dresser of Hides and Skins in Oil; every Currier; every Maker of Vellum or Parchment; every Maltster or Maker of Malt for Sale; every Maker of Metheglin or Mead for Sale; every Maker of Paper or Pasteboard; every Paper Stainer; every Person trading in, vending or selling any Gold or Silver Plate, or any Goods or Wares in which any Quantity of Gold exceeding Two Pennyweights, and under Two Ounces in Weight, or any Quantity of Silver exceeding Five Pennyweights and under Thirty Ounces in Weight, in any one separate and distinct Ware or Piece of Goods, is or shall be manufactured; every Person trading in, vending or selling any Gold or Silver Plate, or any Goods or Wares in which any Quantity of Gold of the Weight of Two Ounces or upwards, or any Quantity of Silver of the Weight of Thirty Ounces or upwards, in any one separate and distinct Ware or Piece of Goods, is or shall be manufactured; every Pawnbroker trading in, vending or selling Gold or Silver Plate, or Goods or Wares in which any Quantity of Gold or Silver is or shall be manufactured or taken in, or delivering out Pawns of such Plate, Goods or Wares; every Refiner of Gold or Silver; every Calico Printer; every Printer, Painter or Stainer of Linens, Cottons or Stuffs; every Maker of Soap for Sale; every Distiller or Maker of Low Wines or Spirits for Sale or for Exportation within that Part of Great Britain called England; every Rectifier of Spirits within that Part of Great Britain called England; every Dealer in Brandy or other Spirituous Liquors or Strong Waters, not being a Retailer in any Part of Great Britain, or not being a wholesale Seller of or Dealer in plain *Aqua Vite* only, distilled from Malt, Corn, Grain, Barley, Beer, Bigg or other *British* Materials, in that Part of Great Britain called Scotland; every Person in that Part of Great Britain called Scotland, who shall by Wholesale sell or deal in Spirits made and distilled from Malt, Corn, Barley, Beer, Bigg or other *British* Materials, and com-  
monly



monly called or known by the Name of *Aqua Vita*, in that Part of the United Kingdom, not being a licensed Distiller, Rectifier, Compounder or Retailer of Spirits, not being a Dealer in Brandy or other Spirituous Liquors, duly licenced for that Purpose in manner above mentioned, for every such Licence to sell plain *Aqua Vita* only by Wholesale; every Retailer of distilled Spirituous Liquors or Strong Waters in *Great Britain*, not being a Retailer of plain *Aqua Vita* only, made or distilled from *British* Materials in that Part of *Great Britain* called *Scotland*; every Person who within the Limits of any Royal Burgh, Burgh of Barony or Regality, in any Part of *Scotland*, or in any Place in any other Part of *Scotland*, other than within the Highlands of *Scotland*, limited and described in the Acts in that case made and provided, shall retail any Spirits made or distilled from Malt, Corn, Grain, Barley, Beer, Bigg or other *British* Materials, and commonly called or known by the Name of *Aqua Vita*, in that Part of the United Kingdom, for every such Licence to retail plain *Aqua Vita* only; every Person who shall retail such Spirits within the several Counties and Districts of the Highlands of *Scotland*, the Royal Burghs, Burghs of Barony or Regality therein, excepted; every Starch Maker; every Maker of any Kind of Sweets or Made Wines, other than Mead, for Sale; every Retailer of *British*-made Wines or Sweets; every Manufacturer of Tobacco or Snuff; every Person who shall first become a Manufacturer of Tobacco or Snuff, for every such Licence; every Dealer in or Seller of Tobacco or Snuff within the Limits of the Chief Office of Excise in *London*, or of the Chief Office of Excise in *Edinburgh*; every Dealer in or Seller of Tobacco or Snuff in any other Part of *Great Britain* out of the said Limits; every Maker of Vinegar for Sale; every Retailer of Foreign Wine in that Part of *Great Britain* called *England*, who shall not have an Excise Licence for retailing distilled Spirituous Liquors or Strong Waters, or a Licence for the retailing of Beer, Ale or other Exciseable Liquors; every Retailer of Foreign Wine in that Part of *Great Britain* called *England*, who shall have taken out a Licence for retailing Beer, Ale and other Exciseable Liquors, but shall not have an Excise Licence for retailing distilled Spirituous Liquors or Strong Waters, for every such Licence to retail Foreign Wine; every Retailer of Foreign Wine in that Part of *Great Britain* called *England*, who shall have an Excise Licence for retailing distilled Spirituous Liquors or Strong Waters; every Retailer of Foreign Wine in that Part of *Great Britain* called *Scotland*, who shall not have an Excise Licence for retailing distilled Spirituous Liquors or Strong Waters, or a Licence for retailing Beer, Ale or other Exciseable Liquors; every Retailer of Foreign Wine in that Part of *Great Britain* called *Scotland*, who shall have taken out a Licence for retailing Beer, Ale or other Exciseable Liquors, but shall not have an Excise Licence for retailing distilled Spirituous Liquors or Strong Waters; every Retailer of Foreign Wine in that Part of *Great Britain* called *Scotland*, who shall have an Excise Licence for retailing distilled Spirituous Liquors or Strong Waters; every Wire Drawer or other Person who shall draw or cause to be drawn any Gilt or Silver Wire, commonly called Big Wire in *Great Britain*: And whereas by another Act, made in the Fifty first

§ 9.  
49 G. 3. c. 81.  
§ 2.  
51 G. 3. c. 69.  
§ 6.

Executors, &c. of  
Persons having  
Licences may  
carry on Trade  
till Licences  
expire.

‘ Year of His said present Majesty’s Reign, a certain Duty of Excise is imposed for and upon every Licence to be taken out according to the said last mentioned Act, by Persons making the Liquor in the said Act in that behalf mentioned, commonly called or known by the Name of *Beer Colouring*: And by another Act, made in the Forty ninth Year of His said present Majesty’s Reign, a certain Duty of Excise is imposed for and upon any Licence to be taken out by any Printer, Painter or Stainer of Silks; and by another Act, made in the Fifty first Year of His said present Majesty’s Reign, a certain Duty of Excise is also imposed for and upon any Licence to be taken out by any Maker or Makers of Flint Glafs, or of Phial Glafs, authorizing him, her or them, to make use of any Lear in or for the Annealing of Flint Glafs or Phial Glafs: And whereas it is expedient that the Commissioners, Collectors and Supervisors of Excise in *England* and *Scotland* respectively should be permitted, upon the Death of any Person so licenced, to authorize and empower the Executors or Administrators, or the Wife or Child of such deceased Person, and upon the Removal of any Person or Persons so licenced to permit the Assignee or Assigns of such Person so removing to take the Benefit of such Licence in manner hereinafter mentioned; 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, upon the Death of any Person or Persons so licenced, or upon the Removal of any Person or Persons so licenced, from the House or Premises in which such his, her or their Licence shall authorize him, her or them to make or manufacture, trade, deal in, vend or sell any of the Commodities of Excise in *England* and *Scotland* respectively for the time being, or any One or more of them, and to and for the several Collectors and Supervisors of Excise in *England* and *Scotland* respectively within their respective Collections, and Districts, to authorize and empower the Executors, Administrators, or the Wife or Child of such deceased Person, or the Assignee or Assigns of such Person or Persons so removing, who shall be possessed of such House or Premises, in like manner to make or manufacture, trade, deal in, vend or sell the several Sorts of Commodities mentioned in such Licence, in the same House or Premises where such Person or Persons so licenced by virtue of such Licence, carried on such Trade during the Residue of the Term for which such Licence was originally granted, without taking out a new Licence during the Residue of the said Term.

#### C A P. CIV.

An Act to permit the Entry into *Ireland* for Home Consumption of Sugar, the Produce or Manufacture of *Martinique*, *Mariegalante*, *Guadaloupe*, *Saint Eustatia*, *Saint Martin* and *Saba*, at a lower Rate of Duty than is payable upon Sugar not of the *British* Plantations. [10th July 1813.]

‘ WHEREAS upon the Importation into *Ireland* of Sugar, the Growth, Produce or Manufacture of the Islands of *Martinique*, *Mariegalante*, *Guadaloupe*, *Saint Eustatia*, *Saint Martin* and

‘ and *Saba*, the like Duties are payable as upon Sugar not the Growth, Produce or Manufacture of the *British* Plantations, and ‘ it is expedient that the Duties should be reduced ;’ 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 any Sugar the Growth, Produce or Manufacture of any or either of the said Islands of *Martinique*, *Mariegalante*, *Guadaloupe*, *Saint Eustatia*, *Saint Martin* and *Saba*, imported into *Ireland* before the Twelfth Day of *May* One thousand eight hundred and thirteen, may be admitted to Entry for Home Consumption in *Ireland*, on Payment of Ten Shillings for every Hundred Weight of White or Clayed Sugar, and Five Shillings for every Hundred Weight of Muscovado Sugar, over and above the Duties payable on the like Description of Sugar, the Growth, Produce or Manufacture of the *British* Plantations, and the Commissioners of His Majesty’s Customs and Port Duties in *Ireland* may continue to admit the Entry of any Sugar the Produce of the said Islands of *Martinique*, *Mariegalante*, *Guadaloupe*, *Saint Eustatia*, *Saint Martin* and *Saba*, on Payment of such Duties, until it shall appear by Notice in the *London* and *Dublin Gazettes* in manner required by Law, that the Average Price of Brown or Muscovado Sugar for Four Weeks successively shall be less than Fifty three Shillings the Hundred Weight, when the said Sugar shall again be subject and liable to Duties, Regulations, Restrictions, Penalties and Forfeitures, as Sugar not of the *British* Plantations.

Rate of Duty at which Sugar of *Martinique*, &c. may be imported into *Ireland*.

II. And be it further enacted, That a Drawback of the Whole of the said Duties shall be allowed on the Exportation of such Sugars from *Ireland*.

Drawback.

III. And be it further enacted, That the said Duties of Customs and Drawbacks of Duties of Customs shall be managed, ascertained, raised, levied, collected, paid, recovered and allowed in such and the like manner as any Duties of Customs or Drawbacks of Duties of Customs of a like Nature, are managed, ascertained, raised, levied, collected, paid, recovered and allowed, and under and subject to the several Powers, Conditions, Rules, Regulations, Restrictions, Penalties and Forfeitures, now in force, in relation to or made for securing the Revenue of Customs in *Ireland*, and all Pains, Penalties, Fines and Forfeitures, for any Offences whatever, committed against or in breach of any Act or Acts of Parliament in force on or 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 be in full Force and Effect as to the said Duties and Drawbacks as fully and effectually to all Intents and Purposes as if they were at large repeated and re-enacted in this Act.

Duties and Drawbacks how levied and paid.

IV. And be it further enacted, That all Monies from time to time arising from the said Duties, the necessary Charges of raising and accounting for the same respectively excepted, shall be carried to and made Part of the Consolidated Fund of *Ireland*.

Duties carried to Consolidated Fund of *Ireland*.

V. And be it further enacted, That this Act may be amended, altered or repealed by any Act or Acts to be made in this present Session of Parliament.

Act altered, &c.

## C A P. CV.

An Act to explain and amend an Act of the present Session, for granting additional Duties of Customs on Goods, Wares or Merchandize imported into and exported from *Great Britain*; for allowing a Drawback on Carrot Tobacco exported; for altering the Duties on Pearls imported; for repealing the additional Duty on Barilla granted by the said Act; for allowing a Drawback of the additional Duties of Customs on Timber used in the Tin, Lead and Copper Mines of *Devon* and *Cornwall*; for ascertaining the Time when the Bounty on Goods exported may be claimed; for better preventing the clandestine Exportation of Goods; and for appropriating the Duties on Sugar the Produce of *Martinique* and other Places, granted by an Act of this Session.

[10th July 1813.]

53 G. 3. c. 33.

Tab. B.

Duty on Hides  
under recited  
Act charged on  
Hundred  
Weight.

53 G. 3. c. 22,  
§ 5.

‘ WHEREAS by an Act of the present Session of Parliament, intituled *An Act for granting certain additional Duties of Customs imported into and exported from Great Britain*, certain new and additional Duties of Customs are granted upon Goods, Wares or Merchandize imported or brought into *Great Britain* from Parts beyond the Seas: And whereas in Schedule (B.) annexed to the said Act, Hides of all Sorts not tanned, tawed, curried, or in any way dressed, exported to *France*, or any Country or Place or Territory annexed to *France*, or under the Dominion of the Person or Persons exercising the Powers of Sovereignty in *France*, are charged with a Duty of Nine Shillings and Four pence, and which said Nine Shillings and Four pence was intended to be imposed on every Hundred Weight of such Hides; but the Words “for every Hundred Weight” are omitted; 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 Duty of Nine Shillings and Four pence shall be deemed to have been chargeable, and shall be charged upon every Hundred Weight of such Hides which shall have been so exported to *France*, or any Country or Place or Territory annexed to *France*, or under the Dominion of the Person or Persons exercising the Powers of Sovereignty in *France*, or shall hereafter be so exported, notwithstanding the Words “for every Hundred Weight” were omitted in the said Schedule.

‘ II. And whereas by the said recited Act it is enacted, That in all cases where the Whole or any Part of the Duties due on the Importation of any Goods, Wares or Merchandize are permitted to be secured by Bond, by virtue of any Act or Acts of Parliament in force at the time of such Importation, the new and additional Duties of Customs granted by the said Act may in like manner, and under the same Rules, Regulations, Restrictions and Conditions, be permitted to be secured by Bond: And whereas upon the Warehousing in the Port of *London* of Goods, Wares or Merchandize enumerated in Tables (A.), (B.) and (E.),

of an Act passed in the Forty third Year of the Reign of His present Majesty, intituled *An Act for permitting certain Goods imported into Great Britain to be secured in Warehouses without Payment of Duty*, no Bond for the Payment of the Duties of Customs is required; and Doubts may arise whether the new and additional Duties on such Goods, Wares or Merchandize imposed by the said first recited Act are not due and payable upon the Importation and Landing thereof; Be it therefore enacted, That nothing in the said recited Act contained shall extend or be construed to extend to compel the Importer, Proprietor or Consignee of any of the said Goods, Wares or Merchandize imported into the Port of London, to pay the Duties upon the Importation or Landing thereof in any case where such Importer, Proprietor or Consignee shall duly enter the same under the Provisions of the said recited Act of the Forty third Year of the Reign of His present Majesty; any thing in the said first recited Act of the present Session of Parliament to the contrary thereof notwithstanding.

Where Goods entered and warehoused Duties not payable on landing.

III. And whereas by the said first recited Act Iron, Tallow, Flax, Bristles, Timber, Wood, Goods and Hemp, are respectively subject to an additional Duty of Customs of Twenty five Pounds for every One hundred Pounds of the Produce and Amount of the Permanent Duties of Customs due and payable thereon on the Importation thereof into *Great Britain*: And whereas it is expedient that the said Articles should be exempted from the said additional Duty in certain cases; Be it therefore enacted, That the said additional Duty shall not be payable or paid on the Importation of Hemp, Iron, Tallow, Flax, Bristles, Timber and Wood, and Goods which shall be imported into *Great Britain* before the Fifth Day of July One thousand eight hundred and thirteen; and if the Whole or any Part of the Duties on such Goods have been secured by Bond, the said additional Duties shall not be charged or payable upon the said Goods, and such additional Duty where the same has been paid on such Articles, shall be repaid to the Persons who shall have paid the same in all cases, in which due Proof shall be given by Production of authentic Bills of Lading verified on Oath, or such other Proof as may be deemed satisfactory to the Commissioners of His Majesty's Customs, that the said Articles respectively were actually laden in the *Baltic* before the First Day of January One thousand eight hundred and thirteen, in the Ships in which they are imported respectively, and that such Ships had been detained there during the preceding Winter: Provided always, that if it shall be made appear that any Bills of Lading or other Documents produced are falsified or altered, or that any other fraudulent Artifice or Device shall have been practised in order to evade the Payment of the said additional Duty, the Person or Persons producing the same shall be subject and liable to the Penalty of Five hundred Pounds, to be prosecuted for and recovered in such manner and by such ways and means as any Penalty for any Offence against the Laws of Customs may now be prosecuted for and recovered; and the said additional Duty of Twenty five Pounds *per Centum* shall be payable and paid according to the Directions of the said recited Act so passed in this present Session, upon the Iron, Tallow, Flax, Bristles, Timber, Wood, Goods and Hemp respectively imported in the Ships or Vessels, for which

53 G. 3. c. 33-Tab. A.

Hemp, &c. not liable to additional Duty.

Penalty.

any such Bills of Lading or other Document produced are so falsified, altered or otherwise fraudulently dealt with as aforesaid.

53 G. 3. c. 33.

Drawback  
allowed on  
Carrot Tobacco.

‘ IV. And whereas by the said first recited Act Provision was not made for allowing a Drawback of the said new and additional Duties of Customs on Carrot Tobacco exported from *Great Britain*;’ Be it therefore enacted, That, from and after the passing of this Act, there shall be paid and allowed on the due Exportation from *Great Britain* of all such Carrot Tobacco, a Drawback in respect of the said new and additional Duties of Customs imposed by the said recited Act, of Nine Shillings and Seven pence Halfpenny for every One hundred Weight of Carrot Tobacco exported; and that such Drawback of the said Duties shall be paid and allowed in such and the like manner, and under all the Rules, Regulations and Restrictions as the former Drawbacks on Carrot Tobacco were paid and allowed by virtue and in pursuance of any Act or Acts in force relating to Drawbacks on such Tobacco; and all the Pains, Penalties and Forfeitures applicable thereto by any such Acts shall be extended to the Purposes of this Act, as fully and effectually to all Intents and Purposes as if the same were repeated and re-enacted in the Body of this Act, and made Part thereof.

49 G. 3. c. 98.

53 G. 3. c. 33.  
Tab. A.

39 G. 3. c. 59.

Duties on Pearls  
repealed and  
another of 5 per  
Cent. on the  
Value imposed.

‘ V. And whereas by an Act passed in the Forty ninth Year of the Reign of His present Majesty, intituled *An Act for repealing the several Duties of Customs chargeable in Great Britain, and for granting other Duties in lieu thereof*; and by the said recited Act of this present Session of Parliament, certain Duties of Customs are now payable upon Pearls imported into *Great Britain* by the United Company of Merchants of *England* trading to the *East Indies*; and it is expedient that the said Duties, save and except the Duties payable on their being secured in Warehouses, pursuant to an Act passed in the Thirty ninth Year of the Reign of His present Majesty, intituled *An Act for permitting certain Goods imported from the East Indies to be warehoused, and for repealing the Duties now payable thereon, and granting other Duties in lieu thereof*, should be no longer payable or paid; and that another Duty of Customs should be charged instead and in lieu thereof;’ Be it therefore further enacted, That, from and after the passing of this Act, the said several Duties now payable upon Pearls so imported, save and except the said Duties payable on their being secured in Warehouses as aforesaid, shall cease, and be no longer payable or paid, and instead and in lieu thereof, there shall be charged and paid on such Pearls when taken out of any such Warehouses to be used or consumed in *Great Britain*, a Permanent Duty of Five Pounds only to every One hundred Pounds of the Value thereof; and the said Duty shall be managed, ascertained, raised, levied, collected, recovered, paid and applied in like manner as the Permanent Duty heretofore payable was to be managed, ascertained, raised, levied, collected, recovered and applied, and shall be subject to the several Powers, Conditions, Rules, Regulations, Restrictions, Penalties and Forfeitures now in force, in relation to, or made for securing the Revenue of Customs in *Great Britain*.

Additional Duty  
on Barilla re-  
pealed.

‘ VI. And whereas it is expedient that the additional Duty of Customs on Barilla imported into *Great Britain*, granted by the said Act of this Session of Parliament, should be repealed;’ Be it therefore enacted, That, from and after the passing of this Act,  
the

the additional Duty of Customs granted by the said Act on Barilla imported into *Great Britain*, shall cease and determine.

VII. And whereas a Portion of the Duties of Customs payable on the Importation into *Great Britain* of Deals above Seven Inches in Width, being Eight Feet in Length and not above Ten Feet in Length, and not exceeding One and an Half Inch in Thickness, and of Fir Timber of the Growth of *Norway*, and imported directly from thence being Eight Inches Square, and not exceeding Ten Inches Square, is by the Laws now in force allowed to be drawn back on such Deals and Fir Timber which shall have been used or employed in the Tin, Lead or Copper Mines, in the Counties of *Devon* and *Cornwall*, under certain Conditions, Rules, Regulations and Restrictions: And whereas it is expedient that a Part of the Duties of Customs imposed by an Act passed in the present Session of Parliament, intituled *An Act for granting certain additional Duties of Customs imported into, and exported from Great Britain*; proportionate to the Amount of so much of the said Duties as arise from a Per-Centage on those permanent Duties of Customs which have been imposed since the passing of an Act made in the Forty ninth Year of His present Majesty, intituled *An Act for repealing the several Duties of Customs chargeable in Great Britain, and for granting other Duties in lieu thereof*, should also be in like manner drawn back; Be it therefore enacted, That there shall be paid and allowed additional Drawbacks of Part of the Duties of Customs granted by the said recited Act passed in the present Session of Parliament, in the Proportion before mentioned, as the same are particularly described and set forth in Figures in the Table hereunto annexed, marked (A.) on any Deals above Seven Inches in Width, being Eight Feet in Length and not above Ten Feet in Length, and not exceeding One Inch and an Half in Thickness; and on any Fir Timber of the Growth of *Norway*, and imported directly from thence, being Eight Inches Square, and not exceeding Ten Inches Square, which shall have been or shall be used and employed in the Tin, Lead or Copper Mines in the Counties of *Devon* and *Cornwall*: Provided always, that before the Payment of the said additional Drawbacks Proof shall be made before the Collector of the Customs of the Port where the Duties upon such Deals and Timber shall have been stated to have been paid, that the full Duties of Customs imposed by the said recited Act passed in the present Session of Parliament on all such Deals and Timber so used and employed as aforesaid, and on which the Drawbacks allowed by this Act shall be claimed, were duly paid thereon: Provided also, that the additional Drawbacks hereby granted shall be paid and allowed on the same Conditions, and shall be subject in every respect to the same Rules, Regulations, Restrictions, Securities and Penalties as the Drawback on Deals and Fir Timber used and employed as aforesaid, granted by an Act passed in the Fifty first Year of His present Majesty, intituled *An Act for altering the Time at which the additional Duties of Customs imposed by an Act of the last Session of Parliament on certain Species of Wood were to have taken place; and for granting a Drawback upon Deals and Timber used in the Mines of Tin, Copper and Lead, in the Counties of Cornwall and Devon*, is paid and allowed.

53 G. 3. c. 33.

49 G. 3. c. 98.

Certain Drawbacks of the Duties on Deals allowed.

51 G. 3. c. 43.

VIII. And

Claim to Bounty  
on Calicoes, &c.  
allowed.

VIII. And whereas Doubts have existed as to the Period at which a Claim to Bounty on Printed Calicoes and other Goods exported has been and is by Law vested in the Parties exporting the same; Be it further enacted and declared, That such Claim shall be deemed to attach as soon as any Goods on which Bounty now is payable shall be shipped on board the Vessel in which such Goods shall be laden for Exportation, and shall be afterwards duly exported; and no Claim for Bounty on Printed Calicoes shall be or be deemed or construed to be valid and effectual in Law, unless such Printed Calicoes were actually shipped on board some Vessel or Vessels for Exportation on or before the Fifth Day of July One thousand eight hundred and twelve, and were afterwards actually exported in the same Vessel or Vessels.

Clandestine Ex-  
portation of  
Goods.

IX. And whereas the Provisions already made by Law to prevent the clandestine Exportation of Goods, Wares or Merchandize which are prohibited to be exported, have not been sufficient to put a stop to such fraudulent Practices; Be it therefore enacted, That if any Goods, Wares or Merchandize which are or may be prohibited to be exported, shall be laden or shipped or put on board any Vessel or Boat with the Intent to be laden or shipped for Exportation, or shall be brought to any Quay, Wharf or other Place in Great Britain, in order to be laden or put on board any Ship, Vessel or Boat for the Purpose of being exported; or if any Goods, Wares or Merchandize which are prohibited to be exported shall be found in any Package produced to the Officers of the Customs as containing Goods not so prohibited, then in each and every such case not only all such Prohibited Goods, but also all other Goods, Wares and Merchandize packed therewith, shall be forfeited and lost, and shall and may be seized by any Officer or Officers of the Customs.

Penalty.

Appropriation of  
Duties under  
53 G. 3. c. 62.

X. And whereas it is expedient to make further Provision for the Appropriation of the Duties imposed by an Act of the present Session of Parliament, intituled *An Act to permit the Entry for Home Consumption of Sugar the Produce or Manufacture of Martinique, Mariegalante, Guadaloupe, Saint Eustatia, Saint Martin and Saba, at a lower Rate of Duty than is payable upon Sugar not of the British Plantations*; Be it therefore enacted, That so much of the said Duties respectively as are equal to the Permanent Duties on British Plantation Sugar shall be payable and paid for and during the like Period, and shall be appropriated and applied in the same manner, and to the same Uses and Purposes, as the Permanent Duties imposed by an Act of the Forty ninth Year of the Reign of His present Majesty, intituled *An Act for repealing the several Duties of Customs chargeable in Great Britain, and for granting other Duties in lieu thereof*, are directed to be paid, appropriated and applied; and so much of the Duties so imposed by the said recited Act of the present Session of Parliament as are equal to the Temporary or War Duties on British Plantation Sugar, shall be payable and paid for and during the like Period, and shall be appropriated and applied in the same manner, and to the same Uses and Purposes as the Temporary or War Duties imposed by the said last recited Act of the Forty ninth Year of His said Majesty's Reign are directed to be paid, appropriated and applied; and so much of the said Duties granted by the said recited Act of the present Session of Parliament, as are over and

49 G. 3. c. 98.



and above the Amount of the Duties payable upon Sugars the Produce of the *British* Plantations, shall be payable and paid for and during the same Period as the Temporary or War Duties granted by the said Act of the Forty ninth Year of His present Majesty, and shall also be appropriated and applied in like manner, and to the same Uses and Purposes.

TABLE to which this Act refers.

TABLE (A.)

A TABLE of additional Drawbacks to be paid or allowed on certain Descriptions of Deals and Fir Timber used and employed in the Tin, Lead and Copper Mines, in the Counties of Devon and Cornwall, under the Conditions and Regulations contained in the Act to which Table is annexed.

	£	s.	d.
Deals, above 7 Inches in Width, being 8 Feet in Length, and not above 10 Feet in Length, and not exceeding 1½ Inch in Thickness, the 120,			
----- Having been imported in a British-built Ship	0	16	3
----- Not having been imported in a British-built Ship	0	16	8½
Fir Timber, of the Growth of Norway, and imported directly from thence, 8 Inches Square, and not exceeding 10 Inches Square, the Load, containing 50 Cubic Feet,			
----- Having been imported in a British-built Ship	0	7	11½
----- Not having been imported in a British-built Ship	0	8	4½

C A P. CVI.

An Act to extend the Provisions of an Act made in the Forty fifth Year of His present Majesty's Reign, for preventing the Counterfeiting of certain Silver Tokens, to certain other Tokens which have been or may be issued by the Governor and Company of the Bank of Ireland.

[10th July 1813.]

WHEREAS by an Act made in the Forty fifth Year of His present Majesty's Reign, intituled *An Act to extend the Provisions of an Act made in the last Session of Parliament for preventing the counterfeiting of certain Silver Coin issued by the Banks of England and Ireland respectively, to Silver Pieces which may be issued by the Governor and Company of the Bank of Ireland, called Tokens, and to promote the Circulation of the said Tokens,* certain Pains of Felony and other Pains and Penalties were imposed on any Person or Persons who should make, coin or counterfeit, or cause or procure to be made, coined or counterfeited, or act or assist in the making, coining or counterfeiting the Tokens in the said

5 L

§ 2.

Punishment of  
Persons counter-  
feiting, &c.  
Tokens issued by  
Bank of Ireland.

Onus Probandi.

‘ said Act mentioned, or who should bring into *Ireland* or into any  
‘ Part of the United Kingdom; or who should pass or utter or tender  
‘ in Payment or give in Exchange or pay or put off any such coun-  
‘ terfeit Token or Tokens, or should have in his, her or their Custody  
‘ without lawful Excuse any greater Number than Five of such false  
‘ or counterfeit Tokens: And whereas the Governor and Company  
‘ of the Bank of *Ireland* have issued or are preparing and intend to  
‘ issue in *Ireland*, for the Convenience of the Public, a Quantity of  
‘ Silver Pieces denominated *Tokens*, of the common Standard of  
‘ *Spanish* Pillar Dollars for Thirty pence *Irish* Currency each, con-  
‘ taining on the obverse Side thereof an Impression of His Majesty’s  
‘ Head and the following Words and Figures, “ Georgius III. Dei  
‘ Gratia Rex 1813,” and on the reverse Side thereof the Words or  
‘ Figures, “ Bank Token XXX Pence *Irish*,” and also Tokens for  
‘ Ten pence *Irish* Currency each, and also Tokens for Five pence  
‘ *Irish* Currency each; the said last mentioned Tokens containing  
‘ on the obverse Side thereof His Majesty’s Head, and the Words  
‘ and Figures following, *videlicet*, “ Georgius III. Dei Gratia Rex,”  
‘ and on the reverse Side thereof respectively, within a Wreath of  
‘ Shamrock Leaves, the Words and Figures “ Bank Token 10  
‘ Pence *Irish* 1813,” or “ Bank Token 5 Pence *Irish* 1813;” 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 Autho-  
rity of the same, That, from and after the passing of this Act, if any  
Person or Persons shall make, coin or counterfeit, or cause or procure  
to be made, coined or counterfeited, or willingly aid or assist in  
the making, coining or counterfeiting any Piece of Metal resembling  
or made with Intent to resemble or look like the said Tokens for  
Thirty pence, Ten pence or Five pence *Irish* Currency respectively,  
so as aforesaid issued or intended to be issued by the said Governor  
and Company of the Bank of *Ireland*, or to pass as such, or to re-  
semble or look like any of the said Tokens, or to pass as such, or if  
any Person or Persons shall bring into *Ireland*, or into any Part of the  
United Kingdom, any such false or counterfeit Tokens knowing the  
same to be false or counterfeited, to the Intent to utter the same  
within the said United Kingdom, or within any Dominions of the  
same, or if any Person or Persons shall utter or tender in Payment, or  
give in Exchange, or pay, or put off to any Person or Persons any  
such false or counterfeited Token or Tokens, knowing the same to  
be false or counterfeited, or if any Person or Persons shall have  
in his, her or their Custody or Possession without lawful Excuse  
(the Proof whereof shall lie on the Party accused), any greater  
Number than Five of any such false or counterfeited Tokens, then  
and in any or either of the said cases respectively, every such Person  
shall be subject and liable to such and the like Pains of Felony and  
other Pains and Punishments respectively, and to such and the like  
Penalties and Forfeitures respectively, and shall be punished, pro-  
ceeded against and dealt with in such and the like manner respectively,  
as is mentioned and directed in and by the said recited Act of the  
Forty fifth Year of His present Majesty’s Reign, as to Persons  
convicted of the like Offence respectively under the said recited Act  
in regard to the Tokens in the said recited Act mentioned, and as if  
the said Tokens for Thirty pence, Ten pence and Five pence in this  
Act

Act mentioned and described respectively, had been mentioned and particularized in the said recited Act.

II. And be it further enacted, That all the Powers, Provisions, Regulations and Directions, Clauses, Matters and Things in the said recited Act of the Forty fifth Year of His present Majesty's Reign mentioned and contained or referred to, with respect to the making, coining, counterfeiting, bringing in, uttering, tendering, giving in Exchange, paying, putting off or possessing any counterfeit Token as in the said Act is mentioned, shall and may be applied in the apprehending, securing, proceeding against and punishing of Offenders under this Act, and in the Recovery of Penalties and Forfeitures for Offences against this Act, and in the carrying this Act into Execution, and in relation to the said Tokens for Thirty pence, Ten pence and Five pence respectively, in this Act mentioned and described in all respects whatsoever as fully and effectually to all Intents and Purposes as if the said Powers, Provisions, Regulations and Directions, Clauses, Matters and Things were repeated and re-enacted in this Act.

Powers of recited Act extended to Act.

III. And be it further enacted, That all Sums of Money which now are or shall become payable in *Ireland* for any Part of the Public Revenue there, shall be accepted by the Collectors, Receivers and other Officers of the Revenue in *Ireland* authorized to receive the same, in the said Silver Bank Tokens for Thirty pence, Ten pence or Five pence respectively, which shall be issued during the Continuance of the Restriction on Payments in Cash by the Governor and Company of the Bank of *Ireland*, if offered to be so paid; and that the said Governor and Company may, whenever the said Restriction shall be removed, charge to the Account of the Teller of the Exchequer all such of the said Tokens of Thirty pence, Ten pence and Five pence each, issued during the Continuance of the said Restriction, as may be received by the said Governor and Company in Payment or otherwise, before or after the Removal of such Restriction.

Tokens issued by Bank taken in Payment of Revenue.

### C A P. CVII.

An Act for the Appointment of Commissioners for the Regulation of the several Endowed Schools of Public and Private Foundation in *Ireland*. [10th July 1813.]

• WHEREAS many of the Abuses in Schools, on Public and  
 • Private Foundations in *Ireland*, and the Misapplication of  
 • their several Funds and Revenues, have proceeded from the Delays,  
 • Difficulties and Expences attending the usual Way of proceeding  
 • in such cases, by Bill or Information in the Courts of Equity:  
 • And whereas it is necessary, for the better Regulation of the  
 • several Endowed Schools in *Ireland*, and for the more efficient  
 • Control of the Conduct of the Masters and other Persons concerned  
 • in the Management and Direction thereof, that Commissioners  
 • should be constituted and appointed for the Purpose of visiting,  
 • regulating and superintending the Management and due Application  
 • of the Funds and Revenues of the said Schools, as well those  
 • of Private Foundation, as those which have been founded and  
 • endowed by The Crown, or established and confirmed by the  
 • Authority of Parliament, or for the Maintenance and Support of  
 • which any Sum or Sums of Money have been at any time granted  
 • by

Commissioners appointed, to be a Corporation.

‘ by Parliament, or been devised or bequeathed by private Persons, or in any manner granted or appropriated; excepting such only as are hereinafter mentioned and excepted:’ 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 Lord Primate of all *Ireland*, the Lord High Chancellor of *Ireland*, the Lord Archbishop of *Dublin*, the Lord Archbishop of *Tuam*, all now and hereafter for the time being, and the respective Coadjutors of the said Primate and Archbishops now or hereafter for the time being; the Lord Chief Justice of the Court of King’s Bench in *Ireland*, and the Provost of Trinity College *Dublin*, now or hereafter for the time being; and also Four of the Bishops of *Ireland*, to be appointed from time to time by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being (One Bishop for each Province in *Ireland*), together with Four other proper and discreet Persons whom the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being shall think fit to appoint to be Commissioners under this Act (such Four Bishops and Four other Persons so appointed by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, to be removable at his or their Pleasure), shall be a Corporation, and shall have perpetual Succession and a Common Seal, and shall be called “The Commissioners of Education in *Ireland*.”

Schools of E. Smith, Charter Schools, Parish Schools, &c. under 28 H. 8. (1.) c. 15. exceeded.

II. Provided always, and be it enacted, That none of the Schools on the Foundation of the late *Erasmus Smith* Esquire, nor the Protestant Charter Schools, nor any Parochial School established under an Act made in the Twenty eighth Year of King *Henry* the Eighth, intitled *An Act for the English Order, Habite and Language*, nor any Establishment for the Purposes of Education now under the Controul of Visitors appointed by Act of Parliament or Charter, shall be deemed and considered as subject to the Jurisdiction of the said Commissioners under this Act.

Appointment of Commissioners on Vacancies.

III. And be it further enacted, That whenever the said Bishops or other Commissioners appointed by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, or either or any of them, or any other Person or Persons to be appointed in the Place of or in Succession to them, or any of them, shall, by Death, Resignation, Removal or otherwise, cease to be a Commissioner or Commissioners under this Act, then and in every such case it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, by Warrant under Hand and Seal, to appoint One other Bishop or Person, in the Place and Stead of any such Bishop or Person so ceasing to be such Commissioner respectively; and any such Bishop or Person so to be appointed shall accordingly be and become to all Intents and Purposes One of the Commissioners for the Purposes of this Act.

Commissioners may appoint Secretary.

IV. And be it further enacted, That it shall and may be lawful for the said Commissioners and their Successors, from time to time to appoint a Secretary to the said Commissioners, with a Salary not exceeding the Sum of Seven hundred Pounds, and also such other subordinate Officer or Officers as they shall think proper, for the carrying into Execution the Purposes of this Act; and to certify to the

the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, such Sum or Sums of Money as they shall deem adequate to defray the Expence of said Officers and the incidental Expences of the Board; whereupon it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, to direct the Lord High Treasurer of *Ireland*, or the Commissioners for executing the said Office, to issue out of the Consolidated Fund of *Ireland* such Sum or Sums of Money to defray the Expence of said Officers, and the incidental Expences of the Board, as to the said Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, shall seem fitting and convenient.

V. And be it further enacted, That the Commissioners for executing this Act shall and may sue and be sued in the Name of their Secretary; and that over and above such Lands, Tenements and Hereditaments as are or shall be vested in the said Commissioners and their Successors, under and by virtue of this Act, it shall and may be lawful for the said Commissioners and their Successors to receive, take, hold and enjoy any Lands, Tenements or Hereditaments whatsoever, for the Purposes of this Act; the Statutes of Mortmain, or any other Statute, Act or Provision whatsoever, in any wise to the contrary notwithstanding.

Commissioners may sue and be sued in Name of Secretary, and hold Lands.

VI. And be it further enacted, That it shall and may be lawful for Three of the said Commissioners assembled in pursuance of a General Notice for a Meeting, of whom some One of the Commissioners hereinbefore appointed in Right of the Offices respectively held by them to be one, to do and perform any thing required to be done by the said Commissioners under this Act, as fully and effectually as all the said Commissioners might do if personally present.

Quorum of Commissioners.

VII. Provided always, and be it hereby enacted, That no Proceeding which requires to be ratified and confirmed by the Common Seal of the Corporation shall be finally concluded, nor the said Seal affixed to any Deed or Instrument in the Name of the said Commissioners unless the Lord Primate or the Lord Chancellor or the Chief Justice of the Court of King's Bench for the time being, be personally present at the Meeting of the said Commissioners at which it is proposed that such Proceeding shall be determined, or such Deed or Instrument shall be executed, or unless the Consent and Approbation of Two of the said Commissioners last mentioned previously given to such Proceeding or to such Deed or Instrument shall be signified under their Hand respectively, and communicated to the Commissioners assembled at such Meeting held pursuant to the general Notice as aforesaid.

Use of Seal.

VIII. And be it further enacted, That the Secretary of the said Commissioners shall keep a Book or Journal of the Proceedings of the said Commissioners at their several Meetings, and shall enter therein the Names of such of the said Commissioners as shall be present at each Meeting, and all the Proceedings of every such Meeting, and all Reports from time to time made to the said Commissioners; and the said Commissioners shall once in every Year, within Fourteen Days after the Twenty fifth Day of *March*, make a general Report of all their Proceedings under this Act for the Year preceding, ending on such Twenty fifth Day of *March*, to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, under the Hands and

Secretary to keep Minute Book of Proceedings.

Seals

Seals of the said Commissioners, to be laid before both Houses of Parliament; and the said Secretary shall at any time or times when he shall be thereto required or directed by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, or his or their Chief Secretary, or by the said Commissioners, deliver to the Lord Lieutenant or other Chief Governor or Governors, or his or their Chief Secretary, a true Copy of the whole or of so much and such Parts of the said Proceedings of the said Commissioners, as shall be from time to time required.

Commissioners  
empowered to  
visit Endowed  
Schools,

IX. And be it further enacted, That it shall and may be lawful for the Commissioners from time to time constituted and appointed under and by virtue of this Act, and the said Commissioners and their Successors shall have full Power and Authority from time to time, and at all times when they shall think proper so to do, to visit each or any of the Endowed Schools hereinbefore described (except only as hereinbefore excepted), either in Person or by Deputies to be appointed by them as is hereinafter directed; and the said Commissioners may at such time and at any other times hold Visitations of the said Schools, and at such Visitations administer Oaths, and do all other Acts appertaining to the Office of Visitors respectively relating to such Schools; and for that Purpose it shall and may be lawful for the said Commissioners to repair to any such School, or to any other Place or Places which they shall deem necessary or convenient, and there to summon, call for and examine, on Oath or otherwise, all and every Person and Persons, and to call for all Vouchers, Books, Deeds, Evidences, Terriers, Maps, Surveys and all other Documents whatever, and to examine and inquire into all Matters whatsoever which the said Visitors shall deem requisite and necessary.

Commissioners  
may appoint  
Assistant Visitors  
to act in their  
Stead,

X. Provided always, and be it further enacted, That if at any time it shall seem requisite to the said Commissioners, it shall and may be lawful for the said Commissioners, by any Writing under their Hands and Seals, to depute and appoint One or more Person or Persons for them and in their Stead to visit any of the said Schools; and any Person or Persons so deputed and appointed in any Instance as aforesaid, shall have and enjoy the same Rights and Powers in every such Instance respectively as the said Commissioners themselves or any of them might or would have had if they had visited the said Schools or any of them in Person; and the said Person or Persons so deputed or appointed as aforesaid shall at every such Visitation cause and direct their Proceedings to be entered in a Book to be kept for that Purpose by the Master of each School respectively, and shall lay an attested Copy of the same before the said Commissioners at their First Meeting after the Return from such Visitations of such Person or Persons so deputed or appointed as aforesaid, and shall report to the said Commissioners such other Matters relating to the State and Condition of the said Schools or any of them, as they shall think necessary to be reported; whereupon it shall and may be lawful for the said Commissioners to make such Orders and adopt such Measures as they shall judge proper or necessary with regard to each of the said Schools respectively; provided that in case of such Misconduct of the Master, Under Master or Usher of any School, being reported to the said Commissioners, as they shall be of Opinion ought to have subjected him to Deprivation, they shall not proceed to such Deprivation until they have cited the said Master, Under Master or Usher

Usher to appear before them, and given Notice to the Trustee or Trustees of the School or Foundation to which such Master or Usher shall belong, and enquired into his Misconduct, and examined such Witnesses as shall be produced by the Master, Under Master or Usher, or by such Trustee or Trustees in relation thereto, and also all other Witnesses whom they shall deem proper to summon; and provided also, that the said Commissioners whensoever they shall find it necessary to proceed to such Sentence of Deprivation, shall signify the same to the Person or Persons to whom such Appointment belongs, who thereupon shall be obliged within Three Months after such Person or Persons shall have had Notice of such Sentence of Deprivation as aforesaid, to appoint a proper Successor to the said Master, Under Master or Usher so deprived; and in case such Person or Persons shall neglect within the Space aforesaid, to comply with the said Order of the Commissioners under this Act, that then and in such case the Commissioners under this Act shall themselves proceed to appoint a fit and proper Successor or Successors to the Masters or Ushers so deprived; and the Person so to be appointed shall not be subject to be removed by the Trustee or Trustees, or Person or Persons having the Power of Appointment or Nomination to such School, unless with the Consent of the said Commissioners.

‘ XI. And whereas by Letters Patent bearing Date the Eighth Day of July in the Second Year of the Reign of His late Majesty King Charles the First, the said King Charles granted to his Grace the then Lord Archbishop of *Armagh* and his Successors for ever, divers Lands, Tenements and Hereditaments of great yearly Value, situate respectively in the Counties of *Armagh*, *Tyrone*, *Fermanagh*, *Donegal* and *Cavan* in Trust to the sole and proper Use and Behoof of the respective Masters of the several Free Schools of *Armagh*, *Dungannon*, *Enniskillen*, *Rapboe* and *Cavan*: And whereas by Letters Patent bearing Date the Sixteenth Day of September in the Fourth Year of the Reign of the said King Charles the First, the Sovereign and Burgeses of the Borough of *Banagher* in the King’s County in *Ireland*, and their Successors, were incorporated; and by other Letters Patent bearing Date the Twenty first Day of August in the same Year, the Sovereign and Burgeses of the Borough of *Carysfort* in the County of *Wicklow* in *Ireland*, and their Successors, were also incorporated; and by the said respective Charters the said King Charles, among other things, granted to each of the said Corporations divers Lands, Tenements and Hereditaments, lying in the said Counties respectively, in Trust for the only Use and Behoof of a Schoolmaster to be resident in each of the said Towns respectively: And whereas the Rents of the Lands granted by His late Majesty King Charles the First, for the Use of the said Schools of *Armagh*, *Dungannon*, *Enniskillen*, *Rapboe* and *Cavan*, have increased to an Amount greater than is necessary for the convenient Maintenance of the said Masters: And whereas it is necessary for the well ordering of the several Schools aforesaid, that the Commissioners appointed under this Act should have full Power over, and the entire Disposal of the Rents and Profits of all the Lands aforesaid; Be it therefore enacted, That, from and after the passing of this Act, the several Lands, Tenements and Hereditaments aforesaid, granted

Letters Patent  
8th July,  
2 Car. 1.

Letters Patent  
16th Sep.  
4 Car. 1.

Rents and Profits of Lands belonging to said

Schools vested in Commissioners.

Application of Funds of Schools in Payment of Masters; building School Houses, &c.

Power of leasing Lands, and Application of such Rents and Profits to each School respectively.

granted by His late Majesty King Charles the First, for the Use of the Masters of the Schools of *Armagh, Downparron, Enniskillen, Raphoe, Cavan, Banagher and Carysfort* shall be, and the same are hereby vested in the said Commissioners and their Successors for ever; and the Rents, Issues and Profits thereof, shall from time to time be received by such Agent or Agents as the said Commissioners for the time being shall appoint for that Purpose as aforesaid, and shall be paid and applied by the Orders of the said Commissioners, for and towards the Maintenance and Support of the Masters of the said several Schools, and for such other Purposes as the said Commissioners are under this Act directed and empowered to provide for and carry into Effect for the Benefit of the said Schools.

XII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners under this Act, from time to time and at all times, to order and direct that any Sum or Sums of Money belonging to any of the said Schools, the Estates belonging to which are vested in Commissioners under this Act, shall be laid out and invested in such Government Funds and Securities as such Commissioners shall from time to time think proper; and that such Share and Proportion as they shall think proper of the Issues and Profits of all Funds or Estates applicable to the Support of each and every or any of such Schools, shall be paid and applied to and for the sole Use and Benefit of the Schoolmaster of such School for the time being; and if it shall appear to the said Commissioners, that One or more Under Master or Under Masters are necessary for any such School, then it shall be lawful for the said Commissioners to order and direct that such other Share or Proportion, or Shares or Proportions of such Issue and Profits as they shall think proper, shall be applied to the sole Use and Benefit of such Under Master or Under Masters respectively; and as to such Parts of such Issues and Profits as shall remain after the Payment of such Salary or Salaries to such Head Master or Under Master or Masters, it shall be lawful for said Commissioners to order and direct that thereof such yearly or other Sum or Sums as shall be or be deemed necessary for the Purpose shall be applied in or towards the purchasing, procuring, building, enlarging, repairing or furnishing the School House, together with Grounds, Houses and other Appurtenances and Accommodations necessary or useful for or towards the convenient and proper Keeping of a School therein, according to the Powers hereinafter given to the said Commissioners; and if any Residue of such Issues and Profits shall remain, after such yearly or other Sums as shall be found or deemed sufficient for the several Purposes aforesaid, then it shall be lawful for such Commissioners to order and direct that such Residue shall be applied to the supporting, maintaining and providing of such and so many Free Scholars, according to such Arrangements, and in such Sums, Shares and Proportions, as shall be directed by any such Order or Orders, and to the Endowment of such and so many Exhibitions to Trinity College, to be held by such Persons and under such Regulations and Restrictions as to the said Commissioners shall seem proper.

XIII. Provided always, and be it enacted, That the Commissioners under this Act shall have all such Powers of leasing and demising all and every the Lands and Hereditaments belonging to the said last mentioned Schools respectively, as the several Trustees or other Persons in whom such Lands were vested immediately before the passing



passing of this Act had by Law forfeiting and demising the said Lands or Hereditaments respectively; and that the Net Rents of the Lands granted by His late Majesty King Charles the First to each School respectively, after deducting thereout the necessary Expences of the Agency and Management thereof, shall, during the Continuance of such of the present Masters of those several Schools as have been legally appointed under any particular Conditions made according to Law by Persons duly authorized thereto, concerning the Distribution or Application of the Incomes, Revenues or Emoluments of such School, or of the Master thereof, be applied in the same manner as they now are; and from and after the Decease, Resignation or Removal of such Master, or any of them, shall be applied solely and exclusively to the Use and Advantage of the said School, and to such Endowments or Establishments only as are connected therewith, in the manner and for the Purposes hereinafter described.

XIV. And whereas John Preston, deceased, formerly an Alderman of Dublin, did by Deed, bearing Date some time in or about the Year One thousand six hundred and eighty six, grant and convey the Lands of Cappagbloughlin, in the Queen's County in Ireland, then producing the Sum of Eighty Pounds yearly, to certain Trustees therein named, and their Heirs for ever, in Trust to pay a Schoolmaster of the Protestant Religion, resident in the Town of Navan in the County of Meath, the yearly Sum of Thirty five Pounds; and to pay to a like Schoolmaster, resident in the Town of Ballyroan in the Queen's County, the yearly Sum of Twenty five Pounds; and to pay the Sum of Twenty Pounds yearly to the Hospital of King Charles the Second, in Oxmanstown, Dublin; the Nomination of the said Schoolmasters to be in the eldest Son of the said John Preston and his Heirs Male, and the said Trustees and their Heirs, or the major Part of the said Persons for ever; and in case of any Increase in the Rents of the said Lands, the Overplus to be disposed of by the said Persons, or the major Part of them, for the Convenience of the said Schools, or such other pious Uses as the same Persons, or the major Part of them, should from time to time appoint: And whereas an Information was in the Year One thousand seven hundred and thirty six, filed in the Court of Chancery in Ireland, to enforce the due and proper Management of the said Schools of Navan and Ballyroan, which Cause is still depending in the said Court, in which it has been found necessary from time to time to make divers Orders for effecting the beneficial Purposes of the said Suit: And whereas the Rents of the Lands of Cappagbloughlin, granted by the said John Preston, deceased, for the Payment of the Masters of the Schools of Navan and Ballyroan, have greatly increased; and it appears from the Second Report made by the Commissioners of Enquiry appointed under an Act made in the Forty sixth Year of His present Majesty's Reign, intituled *An Act to revive and amend an Act made in the Parliament of Ireland, for enabling the Lord Lieutenant to appoint Commissioners for enquiring into the several Funds and Revenues granted for the Purposes of Education, and into the State and Condition of all Schools in Ireland, that great Abuses and Mismanagement have taken place in the Application of the Rents of the said Lands, and that a considerable Part thereof remains yet unappropriated; Be it enacted, That it shall and may be*

Preston's Conveyance for School at Navan and Ballyroan.

Information filed in Court of Chancery in 1736.

46 G. 3. c. 122.

Commissioners may make Visitations, &c. and direct Application of Funds, &c.

lawful for the Commissioners under this Act, for the time being, for the Purposes of ascertaining the due Management of the said Trust, and the Application of the Funds arising out of the said Lands, from time to time to make such Visitations, Enquiries and Reports, and to direct that the Issues and Profits of the said Lands, and the Overplus or Accumulation of such Issues and Profits, shall be applied in like manner as the said Commissioners are empowered to do with respect to any other Schools of Private Foundation under or by virtue of this Act; and that, from and after the passing of this Act, the net Rents of the said Lands of *Cappaghbloughlin* aforesaid shall at all times be divided into Three Parts, in the Proportion of the Annuities to be paid in pursuance of the Grant of the said *John Preston* to the said Hospital in *Oxmanstown*, and to the Masters of the said Schools of *Navan* and *Ballyroan*; that is to say, in the Proportion of Four Sixteenths to be paid to the said Hospital, Seven Sixteenths to be applicable to the Use of the School of *Navan*, and Five Sixteenths to the Use of the School of *Ballyroan*.

46 G. 3. c. 122.

Other Schools of Private Foundation requiring Control and Regulation.

‘ XV. And whereas there are in different Parts of *Ireland* various other Schools of Private Foundation and Endowments, many of which are mentioned and specified in the Twelfth and Thirteenth Reports of the said Commissioners, appointed under the said recited Act of the Forty sixth Year aforesaid, for Enquiry into the several Funds and Revenues granted for the Purposes of Education, and into the State and Condition of all Schools in *Ireland*; and some of the said Schools are possessed of considerable Estates in Land and other Property, with respect to the Application of which for the Purposes of the several Schools, and to carry into Effect the Intentions of the Founders, certain Regulations may be required;’ Be it therefore enacted, That it shall and may be lawful to and for the Commissioners under this Act, for the Purpose of examining into the Management of the Funds of such Private Schools and the due Application of the same, to visit and regulate all such Schools of Private Foundation and Endowment in *Ireland*, as are endowed and supported by the Bequests or Donations of the Founders thereof, or are assisted by any Parliamentary Grants from time to time; except always such Private Schools as are supported by the voluntary occasional Contributions of private Individuals, and which have no settled or permanent Funds or Endowments: and except also all Schools of Private Foundation for the Education of Persons professing any Religion or religious Persuasion, other than that of the United Church of *England* and *Ireland*.

Commissioners may apply to Chancery to enforce Orders and Regulations respecting Schools under Act.

XVI. And be it further enacted, That in case of the Disobedience of any Order or Regulation of the Commissioners under this Act, or of any other Persons acting as Visitors under their Authority, made respecting the said Schools of Private Foundation, whenever it shall seem expedient to the said Commissioners that an Application should be made to the Lord High Chancellor, or to the Commissioners for the Custody of the Great Seal of *Ireland*, for the time being, for the enforcing of any Order or Proceeding of the Commissioners under this Act, for the better Regulation or Management of any such endowed Schools of Private Foundation in *Ireland*, as well as of any of the other Schools already described in this Act; it shall and may be lawful for the Commissioners under this Act, to make a summary Application by Petition to the Lord High Chancellor, or to the Commissioners

Commissioners for the Custody of the Great Seal, praying that an Order may be made by the Lord High Chancellor, or Commissioners for the Custody of the Great Seal, on the subject of such Application; whereupon it shall and may be lawful for the Lord High Chancellor, or the Commissioners for the Custody of the Great Seal, upon such summary Application, to make such Order and to give such Direction respecting any such endowed School in *Ireland*, of Private Foundation, as to him or them shall seem fitting and expedient for the Purposes aforesaid, or any Part thereof, and to direct that the Costs of such Application shall be paid out of any Fund or Funds appropriated to the Use or Benefit of the School respecting which such Application shall be made as aforesaid: Provided always, that in all cases in which an Application shall be made to the Lord High Chancellor, or Commissioners for the Custody of the Great Seal, by the said Commissioners under this Act, whensoever it shall appear to the Lord High Chancellor, or Commissioners for the Custody of the Great Seal, that the Mismanagement of any such endowed School of Private Foundation, or the Misapplication of its Funds and Revenues, are so great as to render the Directors, Managers or Trustees thereof unfit to continue to have the Management of such endowed School of Private Foundation, or the Direction or Application of the Funds and Revenues thereof; that then and in such case it shall and may be lawful for the Lord High Chancellor, or Commissioners for the Custody of the Great Seal, and they are hereby empowered to declare and decree such Directors, Managers or Trustees to be removed from the Trusts of such endowed School of Private Foundation, and the Management thereof; in which case the Lord High Chancellor, or Commissioners for the Custody of the Great Seal, may further direct that the Execution of the said Trust or Trusts shall devolve upon and be vested in the Commissioners under this Act, or be provided for in such other manner as the Lord High Chancellor, or Commissioners for the Custody of the Great Seal, shall by his or their Order think fit to direct; which Commissioners under this Act, and their Successors, or the other Persons on whom the Trust or Trusts shall so be decreed to devolve, shall in that case have the Funds and Revenues, Direction and Management, of the said Schools vested in them.

XVII. And be it further enacted, That all and every Agreement and Agreements in Writing heretofore made by the present Master of any of the Schools of Royal Foundation heretofore mentioned, under the Direction of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, or under the Direction of the Lord Primate, concerning the Distribution or Application of the Income, Revenues or Emoluments of such School, or of the Master thereof, or so granted for the Use of such School, or of the Master thereof as aforesaid, any Part, Share or Proportion of such Income, Revenues or Emoluments, shall be good, valid and effectual, according to the Terms thereof respectively, so long as such Master shall continue to hold the said Office, but no longer.

XVIII. Provided always, and be it enacted, That the School-masters of the said several endowed Schools in *Ireland*, included within this Act, shall continue to be respectively appointed in the same manner in all respects as if this Act had not passed; and that the Under Master or Masters, if any shall be under this Act

Court of Chancery may remove Trustees, &c. of Private Schools, and commit Care thereof to Commissioners.

Agreements made with Masters of School's of Royal Foundation confirmed.

Appointment of Masters and Under Masters.

endowed at any of the said Schools, shall and may be appointed by the Head Master, by and with the Consent and Approbation of the several Persons in whom the Appointment of the Head Master or Masters is vested.

Commissioners may apply to Lord Lieutenant for Advance of Money to build Schools, &c. repaid out of Revenues by Inflatments.

XIX. And be it further enacted, That it shall and may be lawful to and for the Commissioners under this Act for the time being, whenever they shall deem it expedient so to do, to present a Petition to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, setting forth the Necessity of purchasing, building, rebuilding, enlarging or repairing any School House belonging to any School under the Jurisdiction of the said Commissioners by virtue of this Act, or any of the Appurtenances or Accommodations belonging to or necessary for the convenient Use of such School, together with a particular Estimate thereof and the Sum required for such Purpose; and also setting forth, that the Profits of the Lands belonging to such School are insufficient to supply so large a Sum in convenient time, and praying that the same may be advanced out of the Consolidated Fund of *Ireland*, to some Person or Persons to be named in such Petition for that Purpose; and setting forth what yearly Sum, being not less than Ten *per Centum* on the Sum required, can be paid out of the Revenues of such School to replace the Sum so to be advanced; and thereupon it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, if he or they shall think proper so to do, to direct that such Sum as he or they shall think proper, not exceeding the Sum required by such Petition, shall be advanced out of the Consolidated Fund of *Ireland*, to such Person or Persons as shall be so named for that Purpose, either altogether or in such Payments or by such Inflatments as the said Lord Lieutenant shall think proper: Provided always, that no such Sum or any Part thereof shall be so advanced, until such Person or Persons shall have given good and sufficient Security, by Recognizance, with Two Sureties, to the Satisfaction of the Lord High Treasurer of *Ireland*, or the Commissioners for executing the Office of Lord High Treasurer for the time being, or any Three of them, for the faithful Expenditure of the same, according to Particulars, and an Estimate mentioned in the said Petition.

Provido.

Repayment of Sums so advanced.

XX. And be it further enacted, That, from and after the Advance of any such Sum and Sums out of the Consolidated Fund of *Ireland* as aforesaid, the yearly Sums mentioned in such Petition for the Repayment of the same shall be from time to time paid into the Office of the Receiver General of the Duties of Customs and Excise in *Dublin*, until the Whole of each and every such Sum or Sums so advanced shall be duly discharged; and all such Money so repaid and received shall be carried to and made Part of the Consolidated Fund of *Ireland*.

Commissioners may direct Tenants and Lands to be assigned for Payment of annual Inflatments.

XXI. Provided always, and be it enacted, That it shall and may be lawful to and for the said Commissioners under this Act to order and direct that any Tenant or Tenants of any Lands belonging to any such School, for which any such Sum or Sums shall be so advanced, together with the Lands occupied by such Tenant or Tenants, shall be assigned over to such Person or Persons as shall be named for that Purpose by the Lord High Treasurer or Commissioners for

for executing the Office of Lord High Treasurer, or any Three of them, for the time being; and from thenceforth until such Tenant or Tenants, and the Land so occupied by such Tenant or Tenants, shall be re-assigned, such Tenant or Tenants having received Notice of such Assignment, shall be bound to pay his or their Rent or Notice to such Person or Persons as if a regular Attornment had been executed; and it shall and may be lawful for such Person or Persons to recover any such Rent, by Distress, Ejectment or otherwise, as the Person or Persons entitled to the said Rent might lawfully do; and all and every Sum and Sums so received by such Person or Persons, his and their reasonable Costs being first deducted, shall by him or them be paid into the Office of the said Receiver General, to be applied in the manner and for the Purposes aforesaid.

XXII. And whereas by an Act passed in *Ireland*, in the 12 Eliz. (1) Twelfth Year of the Reign of Her Majesty Queen *Elizabeth*, intituled *An Act for the Erection of Free Schools*; it was, among other things, enacted, that there should from thenceforth be a Free School within every Diocese of *Ireland*; and that the Salary of the Schoolmaster therein should be paid, One Third thereof by the Ordinary, and the other Two Third Parts by the Parsons, Vicars, Prebendaries and other Ecclesiastical Persons of the same Diocese: And whereas further Provisions for the more effectual erecting and better regulating of Free Schools in *Ireland*, were made by Two Acts passed in the Parliament of *Ireland*, the One in the Twelfth Year of His late Majesty King *George* the First, and the other in the Twenty ninth Year of His late Majesty King *George* the Second: And whereas it hath happened, from various Causes, that in several Dioceses in *Ireland* such Schools are not now duly kept and maintained, and it may be convenient that Two or more Dioceses should be united, for the Purpose of keeping and maintaining such Schools; Be it therefore enacted, That it shall and may be lawful to and for the Commissioners for the time being under this Act, in all cases in which they shall deem it expedient, by and with the Consent and Approbation of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, by Warrant under Hand and Seal, to direct and declare that any Two or more adjoining Dioceses in *Ireland*, shall be united into one District, and to direct that the Free Schools of such Two or more Dioceses shall be consolidated into One Free School, to be thenceforth kept and held in such Place within the said Dioceses as the said Commissioners, with such Consent and Approbation as aforesaid, shall in and by such Warrant direct for that Purpose; and thereupon and from thenceforth all and every Salaries and Salary payable to the Schoolmasters of the said several Dioceses so united, shall from thenceforth be payable to the Schoolmaster of such District only for his own sole Use; and every such Schoolmaster shall have the same Right to the said Salaries, and the same Remedies and Advantages for and in respect of the raising, collecting and enforcing the same respectively, as the several Schoolmasters of such Dioceses so united would or might respectively have had, in case such Union had not taken place under or by virtue of the said recited Acts or this Act.

XXIII. Provided also, and be it enacted, That if in case any Two or more Dioceses shall be united into One District, under the Appointment of Schoolmasters in United Dioceses Provisions

Provisions of this Act, the Masters of the Free Schools whereof are not appointed by the same Person, then and in every such case, the First Appointment of a Schoolmaster for such united District, shall be made by the Person, who if such Union had not taken place, would have the Right of Appointment in that Diocese from whence the Master of the School in such District shall derive the largest Portion of his Salary; and the Second Turn shall in like manner follow the Portion of Salary next in Amount, and so on to the lowest; after which the same Rotation shall take place again, and continue from thenceforth.

Provision for Support of Diocesan Schools appointed.

XXIV. And be it further enacted, That it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, by and with the Advice of the Privy Council in *Ireland*, to appoint what Provision, Stipend or Salary, shall be paid to the Schoolmaster of every Diocesan or District School, and what Portion and Portions of such Salary shall be raised and paid in each and every Diocese of any such Districts where such District School shall be established; One Third Part of all which Sum or Sums of Money shall be levied on and paid by the said Bishops in their respective Dioceses, and the remaining Two Third Parts of such Sum and Sums of Money shall be levied on and paid by the said Parsons, Vicars, Prebendaries and other Ecclesiastical Persons, by an equal Contribution according to the Values of their respective Benefices, to be from time to time ascertained by the Bishop of every Diocese, by and with the Consent and Concurrence of the Archbishop of the Province in which such Diocese shall be situate.

Bishops may appoint Collectors to levy such Sums.

XXV. And be it further enacted, That it shall be lawful for the Bishop of every Diocese in *Ireland*, to appoint One or more Collector or Collectors to receive all and every such Sum and Sums of Money as shall be so charged on and payable by such Bishops and by such Parsons and other Ecclesiastical Persons within such Diocese; and to allow and pay to such Agent any Sum or Sums of Money, not exceeding the Amount of One Shilling in the Pound, on all Money collected by him, as such Bishop shall think fit; and to take Security from such Agent for the due Payment of all such Sums and Sum of Money to the Schoolmaster or Schoolmasters of the School, in such Diocese or in the District of which such Diocese may form a Part, according to the Provisions contained in the said recited Acts and this Act; and that if any such Parson or other Ecclesiastical Person shall for the Space of Three Months after the Sum payable by him shall be demanded by such Collector, refuse or neglect to pay the same to such Collector, it shall and may be lawful for the Archbishop or Bishop to sequester the Profits of the Benefice belonging to such Parson or other Ecclesiastical Person, for the Payment thereof, until the same shall be levied and paid.

Bishops, &c. empowered to convey Land to Commissioners under Act, for Site of Diocesan Schools.

XXVI. And be it further enacted, That it shall and may be lawful for every Archbishop, Bishop, Dean and Chapter, Dean, Dignitary, Prebendary or Rector of any Parish, or for any Tenant in Fee Simple, Tenant in Tail or Tenant for Life with Remainder in Fee, or in Tail General or Special to his or her Issue, or any of them, by Deed to be enrolled in the High Court of Chancery in *Ireland*, to set apart and convey to the said Commissioners and their Successors, for the Use of any Diocesan or District School,

chool, any Piece or Parcel of Ground not exceeding Two Plan-  
 tion Acres, which may be agreed to be chosen or appointed as  
 orefaid, for the Scite of such Diocefan or District School; and  
 at such Piece of Ground so set apart and conveyed, shall from  
 thenceforth be the Scite of such School; and that all and every  
 Piece or Parcel of Ground now held or used as and for the Scite  
 of any Diocefan School, and which at any time hereafter shall  
 cease to be used as such, shall stand and be vested in the said Com-  
 missioners and their Successors, who shall have Power to demise the  
 same for any Term not exceeding Thirty one Years, without Fine,  
 and for the best Rent that can be reasonably got for the same; and  
 to apply the Rent thereof for the Use of the School of such  
 Diocese or District, in such manner as they shall think proper; or  
 to sell the Fee and Inheritance thereof, or such Term or Interest  
 herein as shall be so vested in them, and to apply the Purchase  
 Money in like manner.

XXVII. And be it further enacted, That, for the obtaining and  
 providing of School Houses, in such Situations as the Commissioners  
 under this Act may deem proper and convenient, it shall and may  
 be lawful to and for the Commissioners under this Act for the time  
 being, to purchase to them and their Successors respectively Houses  
 already built, with Conveniencies thereunto belonging, or Lands and  
 Tenements, fit for such Buildings and Conveniencies for School  
 Houses, and for the Habitations of Schoolmasters and their Succes-  
 sors, for ever, thenceforth to be Part of the Demesne and Land  
 belonging to any School unalienable, and not to be let or disposed  
 of to any other Use whatever; and also that it shall and may be  
 lawful for the said Commissioners under this Act, for the time  
 being, by Deed or Deeds, to exchange any Part of the Demesnes  
 or Lands belonging to any School under the Jurisdiction of the  
 said Commissioners, with any Person or Persons, or Body Corporate  
 or Politic, for Lands of equal Value, Worth and Purchase, lying  
 more convenient for the Scite of any such School than such Demesnes  
 or Lands of the said Schools so to be exchanged; and that it shall  
 and may be lawful to and for all and every Persons and Person,  
 being seised of an Estate Tail in Possession, and for all and every  
 Persons and Person being seised of an Estate for Life in Possession,  
 by his or their Deed or Deeds under his or their Hand and Seal  
 or Hands and Seals, to grant, sell and exchange such his or their  
 Lands, or any Part thereof, for any Demesne for any Free School,  
 or for any Master of a Free School, in such manner and to such  
 Effect as Persons seised of any Estate Tail in Possession, or any  
 Estate for Life in Possession, are enabled to grant, sell or exchange  
 such Lands, under or by virtue of any Act or Acts in force in  
*Ireland* relative to exchange of Glebe Lands, or for the Encourage-  
 ment of Protestant Schools there, and under such Restrictions and  
 Regulations as are contained in an Act made by the Parliament of  
*Ireland*, in the Second Year of the Reign of Her late Majesty  
 Queen *Anne*, for the Exchange of Glebes belonging to Churches in  
*Ireland*, or any Act or Acts for amending the same, or for extending  
 the Benefits thereof.

Commissioners  
 empowered to  
 purchase  
 Houses, ex-  
 change Lands,  
 &c. for Scites of  
 Schools.

2 Ann.(1.) c.10.

XXVIII. And be it further enacted, That it shall and may be  
 lawful for the Grand Jury of any County in which any Diocefan  
 School or District School, or the Scite appointed for the same,  
 shall

Pref.ments by  
 Grand Juries to  
 build School-  
 houses, &c.

shall be, to present on the County any Sum or Sums which they shall think proper, for purchasing, providing, building or repairing any such School House or a Dwelling House, for the Master thereof, or any of the Offices or Appurtenances properly belonging to such School House or Dwelling House, or for purchasing or procuring a Scite for the same, not exceeding the said Quantity of Two Plantation Acres: Provided always, that whenever any Grand Jury shall make such Presentment for any School House or Dwelling House as and for the School House of the Diocese only, within which such County shall be situate, or as and for the Dwelling House of the Schoolmaster of such Diocesan School only, such Diocese shall not be or remain united to or with any other Diocese, under any of the Provisions of this Act; but such Diocesan School shall be supported within its proper Diocese only; and the Money raised in such Diocese shall be applied solely and entirely to the Use of such Diocesan School, and not to any District School, or other School out of such Diocese.

Persons summoned, not attending.

XXIX. And be it further enacted, That if any of the Persons liable to be summoned under any of the Provisions in this Act contained, or having the Care or Custody of any Papers, Vouchers, Books, Deeds, Evidences, Terriers, Maps, Surveys or other Documents required to be produced by the Commissioners under this Act, shall, after being duly summoned, omit to attend, or shall refuse or decline to be examined on Oath, or to produce any of the said Papers, Vouchers, Books, Deeds, Evidences, Terriers, Maps, Surveys or other Documents, then and as often as it shall so happen, every such Person shall be deemed guilty of disobeying this Act; and being duly convicted thereof before any One Magistrate, for every such Offence shall be fined such Sum, not exceeding Twenty Pounds, as such Magistrate shall think proper.

Penalty.

Perjury.

XXX. And be it further enacted, That if any Person or Persons, who by this Act are required to be examined on Oath, or to take any Oath in the Execution of this Act, shall wilfully swear falsely, such Person or Persons being thereof duly convicted according to Law, shall be subject and liable to such Pains, Penalties and Disabilities, as Persons guilty of wilful and corrupt Perjury are subject and liable to by any Law or Laws in force in Ireland.

### C A P. CVIII.

An Act for altering, explaining and amending an Act of the Forty eighth Year of His Majesty's Reign, for granting Stamp Duties in Great Britain, with regard to the Duties on Re-issuable Promissory Notes, and on Conveyances on the Sale and Mortgage of Property; for better enabling the Commissioners of Stamps to give Relief in Cases of spoiled Stamps, and to remit Penalties; for exempting certain Instruments from Stamp Duty; and for better securing the Duties on Stage Coaches. [10th July 1813.]

48 G. 3. c. 149.

• WHEREAS by an Act, passed in the Forty eighth Year of His Majesty's Reign, intituled *An Act for repealing the Stamp Duties on Deeds, Law-Proceedings, and other written or printed Instruments, and the Duties on Legacies and Successions to Personal*



*sonal Estate upon Intestacies now payable in Great Britain, and for*  
*granting new Duties in lieu thereof, certain Stamp Duties were*  
 imposed upon Promissory Notes for the Payment of Money to the  
 Bearer on Demand: And it was enacted, that it should be lawful  
 for any Banker or Bankers, or other Person or Persons, who should  
 have made and issued any Promissory Notes for the Payment to  
 the Bearer on Demand of any Sum of Money, not exceeding  
 Two Pounds and Two Shillings each, duly stamped according to  
 the Directions of the said Act, to re-issue the same from time  
 to time after Payment thereof, as often as he or they should think  
 fit, without being liable to pay any further Duty in respect thereof;  
 and that it should also be lawful for any Banker or Bankers, or  
 other Person or Persons who should have made and issued any Pro-  
 missory Notes for the Payment to the Bearer on Demand of any  
 Sum of Money exceeding Two Pounds and Two Shillings,  
 and not exceeding One hundred Pounds each, duly stamped  
 according to the Directions of the said Act, from time to time after  
 the Payment thereof, and within the Term of Three Years from  
 the Date thereof, but not afterwards, to re-issue any such Pro-  
 missory Notes without being liable to pay any further Duty in  
 respect thereof: And whereas divers Promissory Notes of the De-  
 scription aforesaid, made and issued by Bankers or other Persons  
 in Partnership, have after the Payment thereof been re-issued, by  
 and as the Notes of some only of the Persons who originally made  
 and issued the same, or by and as the Notes of One or more of such  
 Persons, and some other Person or Persons taken into Partnership with  
 him or them, without Payment of any further Duty in respect thereof;  
 whereby Penalties have been incurred to a great Amount, and such  
 Notes are not available to the Holders thereof for want of being duly  
 stamped; And whereas it is expedient to indemnify such Persons  
 as have incurred Penalties by this Mistake of the Law, and to  
 exempt Promissory Notes of the Description aforesaid, for which  
 the Duty shall have been once paid, from the Payment of any  
 further Duty; and also to limit the time for re-issuing such Pro-  
 missory Notes for any Sum not exceeding Two Pounds and Two  
 Shillings; 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, all Persons who shall have incurred any Penalty or Pe-  
 nalties by the ways and means aforesaid, shall be and they are  
 hereby indemnified from the same; and that, from and after the  
 passing of this Act, all Promissory Notes for the Payment to the  
 Bearer on Demand, of any Sum of Money not exceeding One  
 hundred Pounds, for which the proper Stamp Duties shall have  
 been once paid according to the Provisions of the said Act, and which  
 shall have been or shall be re-issued at any time or times before or  
 after the passing of this Act, shall be deemed and taken not to have  
 been liable to, and shall be exempted from the Payment of any further  
 Duty by reason or on account of the same being or having been  
 respectively re-issued by and as the Notes of some only of the Persons  
 who originally made and issued the same, or by and as the Notes of  
 any one or more of the Persons who originally made and issued the  
 same

Sch. Part. I.

§ 13.

Indemnity from Penalties incurred.

Promissory Notes for 100l. or less, for which Duty once paid in what case exempted from further Duty.

same, and any other Person or Persons jointly, so that such Notes shall not have been or shall not be in any manner erased or altered after the first making and issuing thereof; and so that such Notes for any Sum exceeding Two Pounds and Two Shillings shall not have been or shall not be re-issued after the Period allowed by the said recited Act; and so that such Notes, for any Sum not exceeding Two Pounds and Two Shillings shall not be re-issued after the Period allowed by this Act.

To what Notes  
Exemption not  
to extend.

II. Provided always, and be it further enacted, That nothing hereinbefore contained shall extend or be construed to extend to any Person or Persons in *Scotland*, or to any Promissory Notes re-issued or to be re-issued by any Person or Persons in *Scotland*, or to any Promissory Notes upon which any Action or Suit shall have been commenced and be depending at the time of the passing of this Act for the Recovery of the Sums therein mentioned, or which shall be necessary to be given in Evidence in any Action or Suit depending at the time of the passing of this Act, or which shall have been re-issued by any Person or Persons not being the original Maker or Makers thereof, against whom any Commission of Bankrupt shall have been issued and be in progress at the time of the passing of this Act.

Promissory  
Notes for 2l. 2s.  
or under, not re-  
issued after Ex-  
piration of  
Three Years  
from Date in  
England.

III. And be it further enacted, That, from and after the Tenth Day of *October* One thousand eight hundred and thirteen, no Promissory Note for the Payment to the Bearer on Demand of any Sum not exceeding Two Pounds and Two Shillings, shall be re-issued by any Banker or Bankers, or other Person or Persons whomsoever in *England* (save and except the Governor and Company of the Bank of *England*), at any time after the Expiration of Three Years from the Date thereof; but that all such Promissory Notes for any Sum not exceeding the Sum of Two Pounds and Two Shillings (except those of the Bank of *England*), shall upon Payment thereof at any time after the said Tenth Day of *October* One thousand eight hundred and thirteen, and after the Expiration of Three Years from the Date thereof, be deemed and taken to be thereupon wholly discharged, vacated and satisfied, and shall be no longer negotiable or available in any manner whatsoever, but shall be forthwith cancelled by the Person or Persons paying the same; any thing in the said recited Act contained to the contrary notwithstanding; and if any Banker or Bankers, or other Person or Persons (except as aforesaid) shall re-issue, or cause or permit to be re-issued, any such Promissory Note at any time after the said Tenth Day of *October* One thousand eight hundred and thirteen, and after the Expiration of Three Years from the Date thereof, or if any Banker or Bankers, or other Person or Persons, paying or causing to be paid any such Promissory Note, shall refuse or neglect to cancel the same according to the Directions of this Act, then and in either of those cases the Banker or Bankers, or other Person or Persons so offending, shall, for every such Offence, forfeit the Sum of Fifty Pounds; and in case of any such Promissory Note being re-issued contrary to the Intent and Meaning of this Act, the Banker or Bankers or other Person or Persons re-issuing the same, or causing or permitting the same to be re-issued, shall also be answerable and accountable to His Majesty, his Heirs and Successors, for a further Duty in respect of every such Note, of such and the same Amount as would have been chargeable thereon

Re-issuing such  
Notes after  
Three Years,  
not cancelling  
same.

Penalty.  
Further Duty  
on Notes re-  
issued contrary to  
Act.

thereon in case the same had been then issued for the first time, and so from time to time as often as the same shall be so re-issued; which further Duty shall and may be sued for and recovered accordingly, as a Debt to His Majesty, his Heirs and Successors; and if any Person or Persons shall receive or take any such Note in Payment of or as a Security for the Sum therein expressed, knowing the same to be re-issued contrary to the Intent and Meaning of this Act, he, she or they shall, for every such Offence, forfeit the Sum of Twenty Pounds; and the said several Penalties hereby imposed shall go to His Majesty, his Heirs and Successors, and shall and may be recovered in such and the same manner as any other Penalties imposed by any of the Laws in force relating to the Stamp Duties.

Taking Notes, knowing same to be re-issued contrary to Act. Penalty.

IV. And, to remove Doubts that have arisen, be it further enacted and declared, That Copies of Court Roll made subsequent to the Tenth Day of *October* One thousand eight hundred and eight, of Surrenders made in Court prior to that Day, upon the Mortgage or Sale of Copyhold or Customary Estates, were not intended and shall not be deemed or taken to be charged with any of the *ad valorem* Duties imposed by the said Act of the Forty eighth Year of His Majesty's Reign, under the Head of Mortgage or of Conveyance upon the Sale of Lands.

Certain Copies of Court Roll declared exempt from *ad valorem* Duties.

V. And be it further enacted, That where any Deed or Instrument, operating as a Conveyance on the Sale of any Property, shall also operate as a Conveyance of any other than the Property sold, by way of Settlement, or for any other Purpose whatever, or shall also contain any other Matter or Thing besides what shall be incident to the Conveyance of the Property sold, every such Deed or Instrument shall be charged, in addition to the Duty to which it shall be liable as a Conveyance on the Sale of Property and to any progressive Duty to which it may also be liable, with such further Stamp Duty, as any separate Deed containing the other Matters would have been chargeable with, exclusive of the progressive Duty; but all Deeds or Instruments of this Description, made before the passing of this Act, if any, shall be deemed duly stamped and valid, although the same shall not have paid any such further Stamp Duty.

Conveyances on Sale, containing other Matters, to pay a further Duty.

VI. And be it further enacted, That where any Lands or other Property separately contracted to be purchased of different Persons, shall be conveyed to the Purchaser, or according to the Purchaser's Direction, in and by one and the same Deed or Instrument, such Deed or Instrument shall be charged with the *ad valorem* Duties imposed by the said Act of the Forty eighth Year of His Majesty's Reign, on Conveyances on the Sale of Property, for and in respect of the separate Prices paid or agreed to be paid for such Lands or other Property, and not for and in respect of the aggregate Amount thereof; but all Deeds or Instruments of this Description made before the passing of this Act, if any, shall be deemed duly stamped and valid, whether the said *ad valorem* Duties shall have been paid for the same, according to the aggregate Amount of the Purchase Money, or in the manner hereby directed.

Conveyances of Property purchased of different Persons, how charged with *ad valorem* Duties.

VII. And be it further enacted, That where the Equity or Right of Redemption or Reversion of any Lands, or other Property, in Mortgage or Wadset, or standing pledged or charged for or with the Payment of any Sum of Money, shall be conveyed to or for the Benefit of or according to the Direction of the Person or Persons entitled

Conveyances of Equity or Right of Redemption or Reversion of Property in Mortgage or Wadset, in Con-

Consideration of Money due, to pay *ad valorem* Duty.

entitled to the Money charged thereon, either in Consideration of the Money due, or in Consideration of that and of any further Sum, paid or agreed to be paid, the Conveyance thereof shall be deemed and taken to be a Conveyance upon the Sale of Property, and the Money due shall be deemed and taken to be the Purchase Money or Part of the Purchase Money for the same, as the case may be, and the Conveyance shall be liable to the *ad valorem* Duty accordingly; but all Conveyances of this Sort made before the passing of this Act, if any, shall be deemed duly stamped and valid, although the same shall not have paid the *ad valorem* Duty in respect of the Money due.

Duplicates of Mortgages or Conveyances on Sale, one Part only charged.

VIII. And be it further enacted, That where there shall be Duplicates or Triplicates made of any Instrument, by the said Act of the Forty eighth Year of His Majesty's Reign, charged with the *ad valorem* Duty thereby imposed on Mortgages, or on Conveyances on the Sale of Lands or other Property, one of such Duplicates or Triplicates only shall be charged with the said *ad valorem* Duty, and the other or others of them shall be exempted therefrom, but shall nevertheless be charged with the ordinary Duty on Deeds and Conveyances in general; and the Commissioners of Stamps, upon the whole being produced to them, duly stamped as hereby required, shall cause the latter to be also stamped with some particular Stamp, for denoting or testifying the Payment of the said *ad valorem* Duty.

Several Deeds for effecting Conveyance of Property sold, and Doubts arising which is principal Deed liable to *ad valorem* Duty, Parties may determine.

IX. And be it further enacted, That where there shall be several Deeds or Instruments for effecting the Conveyance of any Property upon the Sale thereof, and any Doubt shall arise which is the principal Deed or Instrument chargeable with the *ad valorem* Duty in respect of such Sale, in cases not expressly provided for by the said Act of the Forty eighth Year of His Majesty's Reign, it shall be lawful for the Parties concerned to determine for themselves which shall be the principal Deed or Instrument; and upon all the said Deeds or Instruments being produced, and appearing to be duly stamped, it shall be lawful for the said Commissioners of Stamps to cause those which shall not be stamped with the *ad valorem* Duty, to be also stamped with some particular Stamp, for denoting or testifying the Payment thereof.

Stamps for denoting Payment of *ad valorem* Duties on Mortgages on certain Instruments exempted therefrom by 48 G. 3. c. 149.

X. And be it further enacted, That in cases of Deeds and Instruments by the said Act of the Forty eighth Year of His Majesty's Reign exempted from the *ad valorem* Duty on Mortgages, on the Ground of the same being made in pursuance of and conformably to any Agreement, Contract or Bond thereby charged with, and which shall actually have paid the said *ad valorem* Duty, it shall be lawful for the said Commissioners of Stamps, where it shall appear to them to be necessary for the Sake of Evidence, to cause such exempted Deeds or Instruments to be also stamped with some particular Stamp, for denoting or testifying the Payment of the said *ad valorem* Duty; provided such Deeds or Instruments shall have paid the other Duties to which they shall be liable, and be produced duly stamped accordingly.

Powers of Commissioners of Stamps, for

XI. And whereas the Powers at present vested in the Commissioners of Stamps for the Allowance and Exchange of spoiled Stamps, are not sufficiently extensive, and it is expedient to authorize them to give Relief in the cases hereinafter mentioned; Be it therefore further enacted, That, from and after the passing of this Act, it shall be lawful for the Commissioners of Stamps to allow as spoiled,

spoiled, and to cancel and give other Stamps in lieu of all such Stamps as shall have been used for or upon any Presentations to Ecclesiastical Benefices, which shall not be followed by Institution; or for or upon any Instruments which shall have been signed by any Party or Parties, but which shall be afterwards found to be absolutely void in Law from the beginning, or which by reason of any Error or Mistake therein shall be afterwards found unfit for the Purpose originally intended, or which, by reason of the Death of any Person, whose Signature shall be necessary thereto, without having signed the same, or by reason of the Refusal of any such Person to sign the same, cannot be completed, so as to effect the Transaction in the Form proposed, or which, for want of the Signature of some material and necessary Party, shall in fact be incomplete and insufficient for the Purpose intended, or which, by reason of the Refusal of any Person to act under the same, or by the Refusal or Non acceptance of any Office thereby granted, shall fail of their intended Purpose, or which, for want of Inrolment or Registration within the time required by Law, shall become null and void, or which shall become useless in consequence of the Transaction therein mentioned being effected by some other Instrument or Instruments duly stamped, so that the Instruments for which an Allowance of Stamps shall be claimed in the several cases aforesaid, shall be delivered up to the said Commissioners to be cancelled; and provided the Application for the Relief which the said Commissioners are hereby authorized to give, shall be made within Six Calendar Months after the passing of this Act, or within Six Calendar Months after the Date of the Instrument in Question, except where the same shall become void for want of Inrolment within Six Calendar Months from the Date, and in those cases, within Six Calendar Months next after the same shall so become void; and except where the same shall have been sent abroad, and in those cases, within Six Calendar Months after the same shall be received back; and provided no Action shall have been brought or Suit commenced, in which such Instrument could or would have been given or offered in Evidence; and provided all the Facts upon which the said Commissioners are hereby authorized to give Relief, shall be fully proved by Oath, or solemn Affirmation in the case of Quakers, to their Satisfaction.

allowing and exchanging spoiled Stamps, extended to a variety of cases of Instruments signed by Parties.

XII. Provided always, and be it further enacted, That nothing hereinbefore contained respecting the Allowance of spoiled Stamps, shall extend to Policies of Insurance, for which special Provision is already made by the Acts relating thereto.

Proviso for Policies of Insurance.

XIII. And be it further enacted, That the time for giving Relief, in the cases provided for by an Act of the Fiftieth Year of His Majesty's Reign, where Stamps shall have been used of greater or less Value than the Instruments required, and where Stamps shall have been used for Instruments not liable to any Stamp Duty, shall be extended to Six Calendar Months after the passing of this Act, or to Six Calendar Months after the Date of the Instruments bearing the Stamps misused.

50 G. 3. c. 35. § 13—16. Time extended for Relief in certain cases of Stamps misused.

XIV. And be it further enacted, That, from and after the passing of this Act, it shall be lawful for the Commissioners of Stamps to allow as spoiled, and to cancel and give other Stamps in lieu of, all such Stamps as shall have been used for any Bills of Exchange or Promissory Notes, which shall have been signed by or on the behalf of the Drawers

Proviso for Allowance of spoiled Stamps on Bills of Exchange and Promissory Notes.

Drawers thereof, but which shall not have been delivered out of their Hands to the Payees therein named, or any Person on their behalf, or have been deposited with any Person as a Security for the Payment of Money, or have been any way negotiated, issued or put in circulation, or have been made use of in any other manner whatsoever, and which Bills of Exchange shall not have been accepted by the Drawees or tendered for such Acceptance; provided that such Bills of Exchange and Promissory Notes shall be brought for Allowance, and be delivered up to the said Commissioners to be cancelled, within Six Calendar Months after the passing of this Act, or within Six Calendar Months after the Date of such Bills and Notes, or after the Signing of the same, if they shall not bear any Date; and provided all the Facts, upon which the said Commissioners are hereby authorized to give Relief, shall be fully proved by Oath or solemn Affirmation to their Satisfaction.

48 G. 3. c. 149.  
§ 10.

Proviso for Allowance of Stamps, as spoiled, on certain Articles of Clerkship to Attornies

Application for Allowance of spoiled Stamps, made within a limited time.

‘ XV. And whereas by the said Act of the Forty eighth Year of His Majesty’s Reign, it was enacted, That where any Person should have become bound to serve as a Clerk, in order to his Admission as an Attorney or Solicitor in any of His Majesty’s Courts at *Westminster*, or in any of the Courts of the Great Sessions in *Wales*, or of the Counties Palatine of *Chester*, *Lancaster* and *Durham*, or in any other Court of Record in *England*, by Articles of Clerkship duly stamped according to the Laws in force at the time of the Date and Execution thereof, and should, in consequence of the Death of his Master, or from any other Cause, find it necessary or expedient to enter into new Articles of Clerkship, for a new Term of Years, for the same Purpose, such new Articles of Clerkship should be chargeable only with a Duty of One Pound and Ten Shillings, and the Counterpart or Duplicate thereof with the like Duty: And whereas some Persons have inadvertently used for such new Articles of Clerkship, Stamps of the same Value as by the said Act is required for original Articles of Clerkship, whereby the high Duty on Articles of Clerkship hath been paid twice by or for the same Person;’ Be it therefore further enacted, That in all cases of this Sort, which have occurred or shall occur, it shall be lawful for the Commissioners of Stamps to allow as spoiled, and to cancel and give other Stamps in lieu of the Stamps used on the Articles of Clerkship first entered into; provided the same shall be delivered up to them to be cancelled within Six Calendar Months after the passing of this Act, or within Six Calendar Months after the Execution of the new Articles; and provided the Party applying for Relief shall pay the Duty of One Pound and Ten Shillings by the said Act charged on such new Articles, which shall thereupon be stamped accordingly without Payment of any Penalty.

XVI. And be it further enacted, That where the Commissioners of Stamps are already authorized to allow as spoiled and to exchange any Stamps used for Instruments not fully written, or not signed by any Party, they the said Commissioners shall not make the Allowance, unless the Stamps shall be brought for that Purpose to them at their Head Office, or to their Officers at *Edinburgh* in case of Stamps spoiled in *Scotland*, within Six Calendar Months after the passing of this Act, or within Six Calendar Months after the same shall have been spoiled, if the same shall belong to Persons resident in *London* or *Westminster*, or in *Edinburgh*, or within Ten Miles thereof respectively.

tively, or within Twelve Calendar Months after the same shall have been spoiled, if belonging to Persons resident elsewhere.

XVII. And be it further enacted, That it shall be lawful for the Commissioners of Stamps to make such Rules and Regulations, and to require Affidavits or solemn Affirmations in the case of Quakers, of all such Facts and Circumstances, in regard to the Allowance of spoiled or useless Stamps, in all or any of the cases provided for by this or any former Act, as they shall in their Discretion judge necessary or expedient, for the Purpose of preventing Frauds and Evasions; such Affidavits or Affirmations to be made before the said Commissioners or any One or more of them, or before a Master in Chancery Ordinary or Extraordinary in *England*, or before any Person duly commissioned to take Affidavits by the Court of Session or the Court of Exchequer in *Scotland*; who are hereby respectively authorized to take the same, and administer the proper Oath or Affirmation for that Purpose.

Commissioners of Stamps may make Regulations and require Affidavits respecting spoiled Stamps, to prevent Frauds.

XVIII. And be it further enacted, That if any Person making any such Affidavit or Affirmation as aforesaid, shall knowingly and wilfully make a false Oath or Affirmation, of or concerning any of the Matters to be therein specified and set forth, every Person so offending and being thereof lawfully convicted, shall be subject and liable to such Pains and Penalties, as by any Law now in force, Persons convicted of wilful and corrupt Perjury are subject and liable to.

Perjury.

‘XIX. And whereas it is expedient to exempt certain Instruments from Stamp Duty;’ Be it therefore further enacted, That, from and after the passing of this Act, where any additional Inventory of the Personal or Moveable Estate and Effects of any Person deceased, which shall be exhibited to be recorded in any Commissary Court in *Scotland*, pursuant to the Directions of the said Act of the Forty eighth Year of His Majesty’s Reign would not be liable, under the said Act, to a Stamp Duty of greater Amount than the Duty already paid upon any former Inventory exhibited and recorded of the Estate and Effects of the same Person, such additional Inventory shall be exempted from all Stamp Duty; and that, from and after the passing of this Act, the several other Instruments hereinafter specified, shall also be exempted from all Stamp Duty; that is to say, All Bonds to His Majesty, his Heirs and Successors, which shall be entered into by Card makers, for securing the Payment of the Stamp Duties on Playing Cards; and by the Proprietors, Printers or Publishers of Newspapers, for securing the Payment of the Duties upon the Advertisements therein contained; and by Stationers or others, who sell Paper stamped for the Purpose of being used for printing Newspapers, for the due Performance and Observance of the Matters and Things required of them by the Act passed in the Thirty eighth Year of His Majesty’s Reign for regulating the printing and Publication of Newspapers; and also all Warrants to sue and defend in the Courts Baron of any Honors or Manors which hold Pleas in Actions or Suits for any Debt or Damages not exceeding Five Pounds, as well as all Plaints, Summonses, Executions, Writs and other Proceedings, in or issuing out of such Courts.

Exemptions from Stamp Duty.

48 G. 3. c. 149. § 40.

38 G. 3. c. 78.

‘XX. And whereas certain Grants of or Appointments to Offices or Employments signed by His Majesty, or by the Lords Commissioners of His Majesty’s Treasury, have not from unavoidable

Commissioners of Stamps authorized to stamp certain Instruments without Penalty.

‘ circumstances been brought to the Commissioners of Stamps to be stamped within the time limited by Law, by reason whereof the same cannot now be stamped, without Payment of Penalties over and besides the Duties; and it is expedient to give Relief in such cases; Be it therefore further enacted, That it shall be lawful for the Commissioners of Stamps, by and under the Authority of the Lords Commissioners of His Majesty’s Treasury for the time being or any Three of them, to cause to be stamped, such Grants or Appointments as aforesaid; and also any Grants or Appointments of the like Description, which may hereafter be omitted to be stamped within the time allowed by Law on Payment only of the Duties due and payable for the same, without any Penalty; and thereupon all such Grants or Appointments shall be deemed good and valid; and all Persons shall be indemnified from all Penalties and Forfeitures on account thereof.

44 G. 3. c. 98.

‘ XXI. And whereas by an Act passed in the Forty fourth Year of His Majesty’s Reign, intituled *An Act to repeal the several Duties under the Commissioners for managing the Duties upon Stamped Vellum, Parchment and Paper in Great Britain, and to grant new and additional Duties in lieu thereof*; certain Duties were granted on Coaches and other Carriages employed as Public Stage Coaches or Carriages for conveying Passengers for Hire, and also on Licences for keeping the same; which Duties are secured and collected by and under the Regulations and Provisions of the said

45 G. 3. c. 51.

‘ last mentioned Act, and of an Act passed in the Twenty fifth Year of His Majesty’s Reign, for repealing, among other Duties, the then existing Duties on Stage Coaches, and granting others in lieu thereof: And whereas it is expedient to make further Provision for preventing Frauds and Evasions of the Duties on Stage Coaches, and for regulating and enforcing the taking out of Licences for the same;’ Be it therefore further enacted, That, from and after the passing of this Act, if any Person or Persons shall keep and employ or let out any Coach, Berlin, Landau, Chariot, Diligence, Calash, Chaise Marine, Chaise, Chair or other Carriage with Two or more Wheels, by what Name soever the same may be called or known, as a Public Stage Coach or Carriage, for the Purpose of conveying Passengers for Hire to and from different Places in *Great Britain*, without having a Licence from the Commissioners of Stamps for that Purpose, such Person or Persons shall be charged and chargeable with, and shall be accountable to His Majesty, his Heirs and Successors, for such and the same Duty or Duties as he, she or they would have been chargeable with and liable to pay for or in respect of such Coach or other Carriage under and by virtue of the said Act of the Forty fourth Year of His Majesty’s Reign, in case he, she or they had made the Declaration concerning the same required by the said Act of the Twenty fifth Year of His Majesty’s Reign, and had thereupon obtained a proper Licence for employing or letting out such Coach or other Carriage for the particular Journey, Distance or Number of Miles, and for the Number of Journies in the Day or Week, and for the Number of Passengers which he, she or they shall at any time have advertised or have otherwise notified or held out to the Public, or to any Person, that such Coach or other Carriage was intended or was employed to go and carry, or which such Coach

Stage Coach Duties.



or other Carriage shall actually have gone and carried, at any one Period after the same shall have been set up as a Public Stage Coach or Carriage, at the Election of the said Commissioners of Stamps; and that the Person or Persons, so keeping and employing or letting out such Coach or other Carriage shall be chargeable with and accountable for such Duty or Duties for the same from the time of such Coach or other Carriage being set up as a Stage Coach or Carriage, or being first employed or used as such, without such Licence as aforesaid, down to the time of his, her or their taking out a Licence for the same, or absolutely discontinuing the Use thereof; and also with and for the Duty or Duties which would have been payable for the proper Licence or Licences which he, she or they ought to have taken out for or in respect of such Coach or other Carriage during the same Period.

XXII. And be it further enacted, That all Licences for keeping Coaches or other Carriages to be employed as Public Stage Coaches or Carriages for conveying Passengers for Hire to and from different Places in *Great Britain*, which shall have been granted at any time within Six Calendar Months preceding the First Day of *August* One thousand eight hundred and thirteen, shall continue in force until the Thirty first Day of *July* One thousand eight hundred and fourteen inclusive; and that all Licences for keeping such Coaches or other Carriages, which shall have been granted before the First Day of *February* One thousand eight hundred and thirteen, and which shall be in force on the Thirty first Day of *July* One thousand eight hundred and thirteen, shall cease and determine on that Day, and new Licences shall be taken out in lieu thereof on the Day following; and that, from and after the Thirty first Day of *July* One thousand eight hundred and thirteen, all Licences for keeping such Coaches or other Carriages to be employed as aforesaid, which shall be granted between the Thirty first Day of *July* and the First Day of *September* in any Year, shall be dated on the First Day of *August*; and all such Licences which shall be granted at any other time shall be dated on the Day on which the same shall be granted; and all such Licences respectively shall have Effect and continue in force from the Day of the Date thereof, until the Thirty first Day of *July* following, both inclusive, and no longer: Provided always, that nothing hereinbefore contained shall extend or be construed to extend to any of the Stage Coaches licenced by the Commissioners of Hackney Coaches.

Stage Coach  
Licences.

XXIII. And, for better securing the Duties in general under the Management of the Commissioners of Stamps, be it further enacted, That in all Actions, Bills, Plaints, Informations and Proceedings, had, commenced, prosecuted, entered or filed, or hereafter to be had, commenced, prosecuted, entered or filed, in the Name of His Majesty, his Heirs or Successors, or in the Name of any Person for and on the Behalf of His Majesty, his Heirs or Successors, for the Recovery of any Duties, Debts or Penalties granted or imposed, due or payable by or under any Act or Acts of Parliament now in force relating to the Duties under the Management of the Commissioners of Stamps, or by or under this Act, it shall be lawful for His Majesty, his Heirs and Successors, to have and recover such Duties, Debts and Penalties, with full Costs of Suit, and all Charges attending the same.

Duties and Penalties recovered  
with Costs.

F f 2

XXIV. And

Commissioners of Stamps may stay Proceedings in Prosecutions for Penalties, on Payment of Part thereof.

XXIV. And be it further enacted, That it shall be lawful for the Commissioners of Stamps to stay the Proceedings in any Prosecution commenced by their Direction for the Recovery of any Penalty or Penalties incurred by any Person or Persons under any Act or Acts of Parliament relating to any of the Duties under their Management, on Payment of Part only of such Penalty or Penalties, with or without Costs, or on Payment only of the Costs incurred in such Prosecution, or any Part thereof, as the said Commissioners shall judge proper and expedient; and that it shall also be lawful for the said Commissioners, at their Discretion, to give all or any Part of the Sums paid by way of Penalty in such Prosecutions as aforesaid, to the Persons informing them of the Offences in respect of which the same shall be paid.

Offences tried in County, &c. where committed, or where Offender apprehended.

XXV. And be it further enacted, That, from and after the passing of this Act, all Criminal Offences committed against or in breach of any Act or Acts of Parliament now in force, for granting or securing any of the Duties under the Management of the Commissioners of Stamps, shall and may be inquired of, tried and determined, either in the County or City, or Town and County where the Offence shall be committed, or where the Party or Parties accused, or any of them, shall be apprehended.

### C A P. CIX.

An Act to continue, until the First Day of *August* One thousand eight hundred and fourteen, several Laws relating to the Duties on Glass made in *Great Britain*. [10th July 1813.]

WHEREAS the Laws hereinbefore mentioned have by Experience been found useful and beneficial, and are near expiring, and it is therefore expedient that the same should be continued; 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 so much of an Act made in the Forty ninth Year of the Reign of His present Majesty, intituled *An Act for repealing the Duties on the Materials used in making Spread Window Glass and Crown Glass, and for granting other Duties in lieu thereof; and for the better Collection of the said Duties*, as was by another Act made in the Fifty first Year of the Reign aforesaid, continued until the First Day of *August* One thousand eight hundred and twelve; and was, by another Act made in the Fifty second Year of the Reign aforesaid, further continued to the First Day of *August* One thousand eight hundred and thirteen, shall be and the same is hereby further continued, and shall remain and continue in force until the First Day of *August* One thousand eight hundred and fourteen.

So much of 49 G. 3. c. 63. as was continued by 51 G. 3. c. 69. § 46. further continued.

II. And be it further enacted, That an Act made in the Fifty first Year of the Reign of His present Majesty, intituled *An Act for repealing the Duty on the Materials used in making Flint and Phial Glass; and for granting until the First Day of August One thousand eight hundred and twelve, other Duties in lieu thereof; and for continuing and amending an Act passed in the Forty ninth Year of His Majesty's Reign, intituled An Act for repealing the Duties on the Materials*

51 G. 3. c. 69. continued.

*Materials used in making Spread Window Glafs and Crown Glafs, and for granting other Duties in lieu thereof; and for the better Collection of the faid Duties, which was, by an Act, made in the Fifty fecond Year of the Reign aforefaid, continued until the Firft Day of Auguft One thousand eight hundred and thirteen, ſhall be and the ſame is hereby further continued, and ſhall remain and continue in force until the faid Firft Day of Auguft One thousand eight hundred and fourteen.*

52 G. 3. c. 54.  
§ 2.

## C A P. CX.

An Act to ſuſpend the Exportation of Foreign Spirits from Great Britain to the *Iſle of Man* under Licence from the Commiſſioners of Customs, and to permit the Exportation of a limited Quantity of *Irish* Spirits in lieu thereof, under Licence from the Commiſſioners of Customs and Port Duties in *Ireland*, from certain Ports of that Part of the Kingdom to the ſaid Iſle, until the Fifth Day of *July* One thousand eight hundred and fourteen.

[10th July 1813]

WHEREAS it is expedient that ſo much of an Act paſſed in the Forty fifth Year of the Reign of His preſent Majesty, intituled *An Act for regulating and encouraging the Trade, for the Improvement of the Revenue, and Prevention of Smuggling to and from the Iſle of Man*, as requires the Commiſſioners of His Majesty's Customs in *England* and *Scotland* reſpectively, or any Four of them, to grant Licences for the Importation into the Port of *Douglas* in the *Iſle of Man* from any Port or Place whatever of certain Quantities of Foreign Brandy and Geneva annually, ſhould be ſuſpended for a time to be limited, and that in lieu thereof, for the like Quantity of Spirits made or diſtilled in *Ireland* from Corn or Grain malted or unmalted, or from Sugar, ſhould be allowed to be imported into the ſaid Iſle from certain Ports in *Ireland*, under the ſame Rules, Regulations and Reſtrictions, and on Payment of the ſame Duty as is now payable on Foreign Brandy and Geneva ſo imported; Be it therefore enacted by the Kings Moſt Excellent Majesty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That ſo much of the ſaid recited Act as requires the ſaid Commiſſioners to grant Licences for the Importation into the ſaid Port of *Douglas* from any Port or Place whatever of Foreign Brandy and Geneva, ſhall be, and the ſame is hereby ſuſpended, until the Fifth Day of *July* One thousand eight hundred and fourteen; and in lieu thereof it ſhall be lawful for the Commiſſioners of Customs and Port Duties in *Ireland*, or any Three of them, and they are hereby authoriſed, either to grant ſuch Licences for ſuch Foreign Brandy and Geneva, if the ſame ſhall be demanded, under the Proviſions of the ſaid recited Act, or in lieu thereof, if the ſame ſhall be lawfully demanded, under the Authority of this Act to grant their Licences to be in force from the Date of every ſuch Licence reſpectively, until the Fifth Day of *July* One thousand eight hundred and fourteen, for the Importation into the Port of *Douglas* in the *Iſle of Man*, but to no other Place, in *British* or *Irish*-built Ships, owned, navigated and registered

45 G. 3. c. 99.

§ 1.

Inftead of Licences for Importation into Port of Douglas of Foreign Brandy and Geneva Licences granted, for Importation of Spirits diſtilled in Ireland, on Payment of Duty of 3s. per Gallon.

registered according to Law, and not of less Burthen than Fifty Tons, of Twenty thousand Gallons of Spirits made or distilled in *Ireland* from Corn or Grain malted or unmalted, or from Sugar, and no more, from any of His Majesty's Warehouses in any Port in *Ireland* where such Spirits are allowed to be bonded and secured for the Purpose of Exportation; and that on the Importation of such Spirits into the said *Ile of Man* there shall be raised, levied, collected and paid unto His Majesty, his Heirs and Successors, for every Gallon of such Spirits the Sum of Three Shillings, and so in Proportion for any greater or less Quantity; any thing in any other Act or Acts to the contrary thereof notwithstanding.

Former Acts relative to Importation into *Ile of Man* extended to Act.

II. And be it further enacted, That on the Importation of such Spirits into the *Ile of Man* pursuant to this Act, all the Rules, Regulations, Restrictions, Securities, Penalties and Forfeitures contained in the said recited Act of the Forty fifth Year, or in any other Act or Acts of Parliament in force or relating to the Importation of Foreign Brandy and Geneva into the said *Ile of Man*, and to the Payment, Recovery and Appropriation of any Fine, Penalty or Forfeiture relating thereto, and all the Clauses, Provisions, Regulations, Restrictions, Penalties and Forfeitures contained in any Act or Acts or Laws in force in relation to the *Ile of Man*, shall, so far as they are not hereby altered or varied, and in respect of which no other Provision is made by this Act, be and are hereby declared to be in full Force, and to extend to *Irisb* Spirits so to be imported into the *Ile of Man* under the Authority of this Act, so far as the same respectively will apply, as fully and effectually to all Intents and Purposes as if the same were particularly repeated and re-enacted in this Act.

### C A P. CXI.

An Act for the more easy Manning of Ships and Vessels employed in the *Southern* Whale Fishery. [10th July 1813.]

WHEREAS it is expedient that Provision should be made for giving further Facility to the manning of Ships and Vessels employed in the *Southern* Whale Fishery than is given by an Act passed in the Fifty second Year of His present Majesty's Reign, intituled *An Act for the more easy Manning of Vessels employed in the Southern Whale Fishery*; 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 shall be, and the same is hereby repealed.

II. And be it further enacted, That no Ship or Vessel employed in the said Fishery, the Master of which shall have taken the Oath, or made the Declaration of Fidelity and Allegiance to His Majesty, required by an Act passed in the Thirty fifth Year of His present Majesty's Reign, intituled *An Act for further encouraging and regulating the Southern Whale Fisheries*, shall lose the Benefit of any Fishing Voyage by reason that the Master shall not have taken the Oath, or made the Declaration of his having already established, or of its being his Intention to establish himself and Family in *Great Britain*, or by reason that all or any of the Foreign Protestants employed as Mariners in navigating such Ship or Vessel shall not have taken

52 G. 3. c. 103. repealed.

Vessels on Matter's taking Oath of Allegiance, &c. by 35 G. 3. c. 92. § 37, 38. not to lose Benefit of Fishing Voyage, though other Oaths not taken.

taken any of the Oaths, or made any of the Declarations required by the said Act passed in the Thirty fifth Year of His present Majesty's Reign, intituled *An Act for further encouraging and regulating the Southern Whale Fisheries.*

## C A P. CXII.

An Act to enlarge the Time for commencing Prosecutions for Forfeitures under certain Acts relating to the Abolition of the Slave Trade. [10th July 1813.]

WHEREAS by an Act passed in the Forty sixth Year of the Reign of His present Majesty, intituled *An Act to prevent the Importation of Slaves, by any of His Majesty's Subjects, into any Islands, Colonies, Plantations or Territories belonging to any Foreign Sovereign, State or Power; and also to render more effectual a certain Order made by His Majesty in Council, on the Fifteenth Day of August One thousand eight hundred and five, for prohibiting the Importation of Slaves (except in certain cases) into any of the Settlements, Islands, Colonies or Plantations, on the Continent of America, or in the West Indies, which have been surrendered to His Majesty's Arms during the present War; and to prevent the fitting out of Foreign Slave Ships from the British Ports: And whereas by another Act passed in the Forty seventh Year of the Reign of His present Majesty, intituled *An Act for the Abolition of the Slave Trade*; various Penalties are imposed on Persons offending against the Provisions of the said Acts respectively; and the Ships or Vessels and Boats employed in such Offences, and the Goods, Wares, Merchandizes and Commodities on board the same, are, in various cases, subjected to Forfeiture, and to be seized and prosecuted as forfeited: And whereas the time limited by Law for Prosecutions, in such cases, is found by Experience to be too short, in respect of Offences committed against the said Acts: 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 Actions, Suits, Bills, Indictments or Informations, for the Recovery of any of the Penalties or Forfeitures provided or imposed by the said Acts of the Forty sixth and Forty seventh Years of the Reign of His said Majesty, or either of them, and which shall be incurred after the passing of this Act, may be commenced, had, brought, sued, exhibited or prosecuted, at any time within Three Years after the Offence committed, by reason whereof such Penalty or Forfeiture shall be incurred; any thing in this or the said recited Acts, or in any other Act contained to the contrary thereof notwithstanding.*

46 G. 3. c. 52.

47 G. 3. Sess. 1. c. 36.

Further time allowed for commencing Actions, Suits, &c. for Offences against Acts for Abolition of Slave Trade.

## C A P. CXIII.

An Act for providing Relief for the Poor Prisoners confined in the King's Bench, Fleet and Marshalsea, Prisons.

[10th July 1813.]

WHEREAS by an Act made in the Forty third Year of the Reign of Queen Elizabeth, intituled *An Act for the Relief*

43 Eliz. c. 2.

F f 4

- § 12. ' of the Poor, the Justices of the Peace of every County or Place  
 ' Corporate, at their General Sessions, were directed to rate every  
 § 14. ' Parish to a Weekly Sum, in manner therein mentioned; and to set  
 ' down what competent Sums of Money should be sent quarterly  
 ' out of every County or Place Corporate, for the Relief of the  
 ' poor Prisoners of the *King's Bench* and *Marshalsea* Prisons, so as  
 ' there were sent out of every County yearly, Twenty Shillings at the  
 ' least to each of the said Prisons of the *King's Bench* and *Marshalsea*;  
 ' to be collected in manner therein expressed, and to be paid over to  
 ' the Lord Chief Justice of *England* and Knight Marshal for the  
 ' time being, equally to be divided between them to the Use afore-  
 ' said, or in Default of the said Chief Justice, to the next ancientest  
 § 15. ' Justice of the *King's Bench*; and by the same Act it was directed,  
 ' that all Surplusage of Money which should remain in the Stock of  
 ' any County, should, by the Discretion of the Justices of the Peace  
 ' in their Quarter Sessions, be bestowed for the Relief of the poor  
 ' Hospitals in that County, and for other Charitable Purposes:  
 11 G. 2. c. 20. ' And whereas an Act was made in the Eleventh Year of the Reign  
 ' of His late Majesty, King *George* the Second, intituled *An Act*  
 ' for the more effectually securing the Payment of certain Sums of Money  
 ' directed by an Act made in the Forty third Year of the Reign of Queen  
 ' Elizabeth, intituled *An Act for the Relief of the Poor, to be paid by*  
 ' the respective Treasurers in every County in England or Wales, for  
 ' the Relief of the Prisoners of the *King's Bench* and *Marshalsea*  
 12 G. 2. c. 29. ' Prisons: And whereas by an Act made in the Twelfth Year of  
 ' the Reign of His late Majesty, King *George* the Second, intituled  
 ' *An Act for the more easy assessing, collecting and levying of County*  
 § 22. ' Rates, so much of the said recited Act of the Forty third Year  
 ' of the Reign of Queen *Elizabeth*, as related to the Method of  
 ' raising Money for the Relief of the *King's Bench* and *Marshalsea*  
 § 23. ' Prisons was repealed; and such Sums as had been usually paid  
 ' to the said *King's Bench* and *Marshalsea* Prisons were directed to  
 ' be paid out of the Monies arising by virtue of the said Act now in  
 ' Recital, at such times and in such manner as was prescribed in  
 ' and by the said Act of the Eleventh Year of the Reign of His  
 ' said late Majesty King *George* the Second: And whereas the Sums  
 ' of Money provided and secured to be paid by the aforesaid Acts  
 ' are not sufficient for the Relief of the poor Prisoners confined in  
 ' the said *King's Bench* and *Marshalsea* Prisons; And whereas no  
 ' adequate Relief has been provided for the poor Prisoners confined  
 ' in the *Fleet* Prison: And whereas it is expedient that the Provisions  
 ' contained in the said Acts of the Forty third Year of the Reign of  
 ' Queen *Elizabeth*, and the Twelfth Year of the Reign of His late  
 ' Majesty King *George* the Second, so far as the same respectively  
 ' regard the Relief of the Poor Prisoners in the said *King's Bench*  
 ' and *Marshalsea* Prisons, and also the Provisions contained in the  
 ' said Act of the Eleventh Year of the Reign of His said late  
 ' Majesty King *George* the Second, should be repealed, and that  
 ' sufficient Relief should be provided and secured for the poor Pri-  
 ' soners confined in the *King's Bench* and *Marshalsea* Prisons, and  
 ' also for the poor Prisoners confined in the said *Fleet* Prison: And  
 ' whereas *Bethlem Hospital* is a Charity for the Reception and Cure  
 ' of Lunatics and distracted Persons from all Parts of the Kingdom,  
 ' and from His Majesty's Fleets and Armies: and any Surplus  
 ' which

‘ which shall remain of the Monies provided by this Act, after  
 ‘ relieving the poor Prisoners in the said Prisons, may with great  
 ‘ Propriety be bestowed towards the Relief of the said Hospital;’  
 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  
 Acts of the Forty third Year of the Reign of Queen *Elizabeth*, and  
 the Twelfth Year of the Reign of His said late Majesty King *George*  
 the Second, and all and every the Clauses, Powers, Provisions,  
 Matters and Things therein respectively contained, so far as the same  
 relate or apply to the yearly Sums provided for the Relief of the  
 poor Prisoners confined in the *King’s Bench* and *Marshalsea* Prisons,  
 and also the said Act of the Eleventh Year of the Reign of His  
 late Majesty King *George* the Second, and all and every the Clauses,  
 Powers, Provisions, Matters and Things therein contained, shall be  
 and the same are hereby repealed.

43 Eliz. c. 2.  
 12 G. 2. c. 29.  
 relating to Pri-  
 soners, repealed.

11 G. 2. c. 20.  
 repealed.

II. And be it further enacted, That every Treasurer of every  
 County and Division of a County mentioned in the Schedule to this  
 Act annexed, shall, on or before the First Day of *August* in every  
 Year, pay out of the Public Stock or Rates of such County and  
 Division of a County respectively, the several Sums of Money specified  
 in the Schedule to this Act annexed, in manner following; that is  
 to say, the Sums for the Relief of the Prisoners confined in the  
*King’s Bench* and *Marshalsea* Prisons, to be paid to the Treasurer  
 for the County of *Surry*; and the Sums for the Relief of the  
 Prisoners confined in the *Fleet* Prison, to be paid to the Treasurer or  
 Chamberlain of the City of *London*.

Treasurers di-  
 rected to pay  
 Sums mentioned  
 in Schedule out  
 of County Rate.

III. And be it further enacted, That the Treasurer for the time  
 being of the County of *Surry* shall from time to time pay the Sums  
 of Money to be received by him from the said Treasurers, and also the  
 Sums to be paid out of the Public Stock or Rates of the said  
 County of *Surry*, for the Relief of the Prisoners in the *King’s*  
*Bench* and *Marshalsea* Prisons, to such sufficient Person or Persons  
 residing near the said Prisons respectively, at such times and in  
 such manner as the Justices of the Peace for the County of *Surry*, or  
 the major Part of them, at their General Quarter Sessions, shall from  
 time to time order and direct.

To whom Treas-  
 urer to pay  
 Money.

IV. And be it further enacted, That the Treasurer or Chamberlain  
 for the time being of the City of *London* shall from time to time pay  
 the Sums of Money to be received by him from the said Treasurers,  
 for the Relief of the Prisoners in the *Fleet* Prison, to such sufficient  
 Person or Persons residing near the said Prison, at such times and in  
 such manner as the Justices of the Peace for the City of *London*, or  
 the major Part of them, at their General Quarter Sessions, shall from  
 time to time order and direct.

To whom  
 Chamberlain of  
 London to pay  
 Money.

V. And be it further enacted, That Receipts signed by the  
 Treasurer for the time being of the County of *Surry*, and the Treas-  
 urer or Chamberlain for the time being of the City of *London*, for  
 any Monies payable to them respectively by virtue of this Act, shall  
 be sufficient Discharges for the same; and that Receipts signed by  
 any Person or Persons appointed by the Justices of the Peace of the  
 County of *Surry* and City of *London* respectively, at their Quarter  
 Sessions

Receipts of  
 Treasurers suf-  
 ficient Dis-  
 charges.

Sessions respectively, to receive any Monies payable by virtue of this Act, shall be sufficient Discharges to the Treasurer for the County of *Surry*, and the Treasurer or Chamberlain of the City of *London* respectively.

Courts of K. B. and C. P. may enforce Compliance with Regulations of Act.

VI. And be it further enacted, That if any Treasurer shall neglect or refuse to pay over any such respective Sums of Money as ought to be paid by him to the Treasurer of the County of *Surry*, and the Treasurer or Chamberlain of the City of *London* respectively as aforesaid, or any Treasurer of the County of *Surry*, or Treasurer or Chamberlain of the City of *London*, shall neglect or refuse to pay over such respective Sums of Money as ought to be paid by him respectively by virtue of this Act, then and in any such case, upon the Certificate or Certificates, on Oath, of the Treasurer or Treasurers, Person or Persons, to whom the same respectively ought to be paid, being delivered to either of His Majesty's Courts of *King's Bench* and *Common Pleas*, or to the Court of *Marshalsea*, of such Neglect or Refusal, it shall be lawful for the said Courts of *King's Bench*, *Common Pleas* or *Marshalsea*, or either of them, to make a Rule on every such Treasurer so neglecting or refusing as aforesaid, requiring such Treasurer to pay the Money so reported or certified to be due as aforesaid; and Obedience to such Rules respectively shall and may be enforced by the said Courts, in such manner and by such ways and means as Rules of the said Courts respectively are usually enforced.

Treasurers to register Names and Places of Abode.

VII. And, that the said Treasurers may be the better amenable to the said Courts, be it further enacted, That every Person who now is or hereafter shall be elected or appointed Treasurer of any County, or Division of a County, named in the Schedule to this Act annexed, shall, within One Calendar Month after the First Day of *August*, or within One Calendar Month after his Election or Appointment respectively into such Office of Treasurer, transmit his Name and Place of Abode to the Clerk of The Crown in His Majesty's said Court of *King's Bench*, to be by him entered or registered in a Book to be kept for that Purpose, for which Entries no Fee or Reward shall be taken; and in case any such Treasurer shall neglect or refuse to transmit his Name or Place of Abode as aforesaid, that then, upon the Report of the said Clerk of The Crown, made to the said Court of *King's Bench*, of such Neglect or Refusal, every such Treasurer shall be liable to be proceeded against in the same manner as in case of neglecting or refusing to pay such Money as aforesaid.

Charge of Rules of Court paid by Treasurers.

VIII. And be it further enacted, That from time to time and as often as there shall be Occasion for the said Courts of *King's Bench*, *Common Pleas* and *Marshalsea*, respectively, to make any Rule or Rules as aforesaid, on any of the said Treasurers in pursuance of this Act, the whole Cost and Charge of making such Rule or Rules, and all subsequent Charges arising therefrom, shall be paid by the Treasurer whose Default or Neglect shall cause the making of such Rule.

Neglect.

Money weekly distributed to Prisoners.

IX. And be it further enacted, That the Sum and Sums of Money provided by this Act, shall from time to time be distributed by the Person or Persons to whom the same respectively shall be directed to be paid as aforesaid, by weekly Payments, for the Relief of such Prisoners as shall from time to time be ordered to be relieved, in manner hereinafter mentioned.

X. And



X. And be it further enacted, That it shall be lawful for any Justice of the Peace for the County of *Surry* to order such Relief as he shall think proper, to be given to any Prisoner confined in the said *King's Bench* or *Marshalsea* Prisons, and for any Alderman or Justice of the City of *London*, to order such Relief as he or they shall think proper, to be given to any Prisoner confined in the said *Fleet* Prison, but subject nevertheless to the Provisions hereinafter contained, and to any Rules, Orders and Regulations which shall be made as hereinafter is mentioned: Provided always, that the Sum to be given to any one Prisoner shall not exceed Six pence *per Diem*.

Sum allowed to Prisoners limited.

XI. Provided always, and be it further enacted, That no Prisoner, who shall be charged in Execution for Debt, shall be relieved by virtue of this Act, after the First Day of the Term next following the time when he or she shall be charged in Execution.

No Prisoner charged in Execution relieved after First Day of next Term. No Prisoner relieved possessed of Property above a certain Sum.

XII. Provided always, and be it further enacted, That no Prisoner shall be ordered to be relieved by virtue of this Act, until he or she shall first have made Oath before a Judge of One of the Courts of Law at *Westminster*, or of the *Marshalsea*, or a Commissioner appointed by One of the said Judges to take Affidavits, that he or she is not worth Ten Pounds in all the World, and that he or she cannot subsist himself or herself without the Relief or Assistance provided by this Act; and if any such Prisoner shall wilfully swear or perjure himself or herself in taking any such Oath as aforesaid, and shall be lawfully convicted thereof, he or she so offending shall suffer such Punishment as by Law may be inflicted on Persons convicted of wilful and corrupt Perjury.

Perjury. Prisoners super-sedeable, &c.

XIII. Provided always, and be it further enacted, That no Prisoner shall be relieved by virtue of this Act, who shall have become super-sedeable, or entitled to be discharged under any Act for the Relief of Insolvent Debtors.

XIV. And be it further enacted, That all the Surplus and Residue (if any) which may from time to time, on the First Day of *August* in the Third Year after the passing of this Act, and on the First Day of *August* in every succeeding Third Year, remain in the Hands of the Treasurer of the County of *Surry*, and the Treasurer or Chamberlain of the City of *London*, and the Person or Persons to whom the same respectively shall have been paid, or any of them, of any of the Monies payable by virtue of this Act, to such Treasurers respectively, on or before the First Day of *August* in the preceding Year, after relieving the poor Prisoners confined in the aforesaid Prisons, according to the Directions hereinbefore mentioned, shall be forthwith paid by them respectively, to the Treasurer for the time being of *Bethlem Hospital*, for the Relief and Benefit of the said Hospital.

Appropriation of Surplus Monies.

XV. And be it further enacted, That the Treasurer for the time being of the County of *Surry*, and also the Person or Persons for the time being appointed to receive and distribute the Monies provided by this Act for the Relief of the Prisoners confined in the *King's Bench* and *Marshalsea* Prisons, at the General Quarter Sessions for the County of *Surry*, held next after *Easter* in every Year; and also that the Treasurer or Chamberlain for the time being of the City of *London*, and the Person or Persons for the time being appointed to receive and distribute the Monies provided by this Act for the Relief of the Prisoners confined in the *Fleet* Prison, at the General Quarter Sessions for the City of *London* held next after *Easter* in every Year,

Accounts kept and verified upon Oath.

Year, shall respectively lay before the Justices there assembled, a full true and exact Account of all their respective Receipts and Disbursements of the Monies provided by this Act, and shall verify the same Accounts, if required, upon Oath.

Justices empowered to make Regulations in Addition to Provisions of Act.

XVI. And be it further enacted, That it shall be lawful for the Justices of the Peace acting in and for the said County of *Surrey*, or the major Part of them, at their General Quarter Sessions, with respect to the Sums of Money hereby provided for the Relief of the poor Prisoners confined in the said Prisons of the *King's Bench* and *Marshalsea*, and also for the Justices of the Peace acting in and for the *City of London*, or the major Part of them, at their General Quarter Sessions, with respect to the Sums of Money hereby provided for the Relief of the poor Prisoners confined in the said *Fleet* Prison, and they respectively are hereby authorized and empowered, from time to time, when and as often as they respectively shall think proper, to make any Orders, Rules and Regulations respecting the Payment and Application of the Monies hereby provided, and the Prisoners who shall be relieved thereby, and the Securities to be entered into for the due Application thereof, and the Accounts to be made and given respecting the same, and the Remuneration to be allowed thereout to Persons employed in the Execution of this Act, or otherwise, for the better Execution of this Act; provided that the same be made as Additions to the Provisions hereinbefore contained, and be not contradictory thereto; and also to alter the same Rules, Orders and Regulations, as and when they shall think fit.

Publ. Act.

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

The SCHEDULE to which this Act refers.

COUNTIES AND DIVISIONS.	The SUMS to be paid by them for the Relief of the Prisoners in the Prisons of		
	King's Bench.	Fleet.	Marshalsea.
Bedford - - -	£ 5	£ 5	—
Berks - - -	10	10	—
Bucks - - -	10	5	—
Cambridge { County - - -	5	5	—
{ Isle of Ely and Town } - - -	5	5	—
{ of Cambridge } - - -			
Chester - - -	10	10	—
Cornwall - - -	10	5	—
Cumberland - - -	10	5	—
Derby - - -	10	10	—
Devon - - -	20	15	—
Dorset { East Division - - -	5	5	—
{ West Division - - -	5	5	—
			Durham

SCHEDULE — *continued.*

COUNTIES AND DIVISIONS.	The SUMS to be paid by them for the Relief of the Prisoners in the Prisons of		
	King's Bench.	Fleet.	Marthalsea.
Durham	£ 15	£ 10	£ —
York { East Riding	10	10	—
York { North Riding	15	10	—
York { West Riding	30	20	—
Essex { East Division	10	5	—
Essex { West Division	10	5	25
Gloucester	15	10	—
Hereford	10	5	—
Hertford	10	10	—
Huntingdon	5	5	—
Kent { East Division	10	5	—
Kent { West Division	10	5	25
Lancaster	30	25	—
Leicester	10	10	—
Lincoln { Holland Division	5	5	—
Lincoln { Kesteven Do.	5	5	—
Lincoln { Lindsey Do.	10	5	—
Middlesex	100	50	200
Norfolk	15	10	—
Northampton { East Division	5	5	—
Northampton { West Division	5	5	—
Northumberland	15	10	—
Nottingham { North Division	5	5	—
Nottingham { South Division	5	5	—
Oxford	10	5	—
Rutland	5	5	—
Salop	10	10	—
Somerset { West	10	5	—
Somerset { East	10	5	—
Southampton	15	10	—
Stafford	15	10	—
Suffolk { Beccles Division	—	5	—
Suffolk { Woodbridge Do.	5	—	—
Suffolk { Bury St. Edmund's Do.	5	5	—
Suffolk { Ipswich Do.	5	—	—
Surry	50	40	50
Suffex { East Division	10	5	—
Suffex { West Division	10	5	—
Warwick	15	10	—
Westmorland { East Ward	5	—	—
Westmorland { Kendal Ward	—	5	—
Wilts	15	15	—
Worcester	10	10	—

Anglef

SCHEDULE — *continued.*

COUNTIES AND DIVISIONS.	The SUMS to be paid by them for the Relief of the Prisoners in the Prisons of		
	King's Bench	Fleet	Marshalsea.
Anglesea - - -	£ 2	£ 2	—
Brecon - - -	2	2	—
Cardigan - - -	2	2	—
Carmarthen - - -	3	3	—
Carnarvon - - -	2	2	—
Denbigh - - -	3	3	—
Flint - - -	2	2	—
Glamorgan - - -	3	3	—
Merioneth - - -	2	2	—
Monmouth - - -	3	3	—
Montgomery - - -	2	2	—
Pembroke - - -	2	2	—
Radnorshire - - -	2	2	—

## C A P. CXIV.

An Act to continue and amend an Act of the present Session, to prevent the issuing and circulating of Pieces of Gold and Silver, or other Metal, usually called Tokens, except such as are issued by the Banks of *England* and *Ireland* respectively.

[10th July 1813.]

53 G. 3. c. 19.  
§ 2.

‘ WHEREAS an Act passed in this Session of Parliament, intituled *An Act to amend an Act of the last Session of Parliament, to prevent the issuing and circulating of Pieces of Gold and Silver, or other Metal, usually called Tokens, except such as are issued by the Banks of England and Ireland respectively*: And whereas it is expedient that the Period limited in the said Act for the Circulation of Pieces of Gold or Silver and mixed Metals, in the said Act specified and denominated *Tokens* should be further extended; and that the said Act should be amended: 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 so much of the said recited Act as prohibits the Circulation of any such Tokens as are in the said recited Act described, after the Fifth Day of *July* One thousand eight hundred and thirteen, shall be and the same is hereby repealed.

repealed.

Tokens not to be circulated after a certain time.

II. And be it further enacted, That, from and after Six Weeks from the Commencement of the next Session of Parliament, no Piece of Gold or Silver, or of any mixed Metal composed partly of Gold or Silver, of whatever Name the same may be, shall pass or circulate as a Token for Money, or as purporting that the Bearer or Holder thereof is entitled to demand any Value denoted thereon, either by

by Letters, Words, Figures, Mark or otherwise, whether such Value is to be paid or given in Money or Goods, or other Value, or in any manner whatsoever; and every Person who shall, after Six Weeks from the Commencement of the next Session of Parliament circulate or pass as for any nominal Value in Money or Goods any such Token, shall for every such Token so circulated or passed, whether such Person shall be or have been concerned in the original issuing or Circulation of any such Token, or only the Bearer or Holder thereof for the time being, forfeit any Sum not less than Five Pounds nor more than Ten Pounds, at the Discretion of such Justice or Justices of the Peace who shall hear and determine such Offence; Provided that nothing in this Act contained shall extend or be construed to extend to prevent any Person from presenting any such Token for Payment to the original Issuer thereof, or to discharge or excuse any such original Issuer from his Liability to pay the same.

Penalty.

Original Issuer.

‘ III. And whereas Doubts are entertained as to whether the Bearer or Holder of any such Token can recover by the Law from the Person or Persons who shall have issued the same, their Executors or Administrators, the Value denoted thereon; and it is expedient that such Doubts should be removed;’ Be it therefore enacted, That all Persons who shall have originally issued or have been concerned in the original issuing or Circulation of any such Tokens, and their respective Executors and Administrators, shall be and they are hereby declared to be liable in Law, upon Demand made of the Value denoted upon the Tokens issued by such Persons respectively to pay the same; and the Amount of Money or Value denoted upon any such Tokens, either by Letters, Words, Figures, Marks or otherwise, may be recovered by the Bearer or Holder thereof, in any Action or Suit against the Person or Persons who shall have originally issued or been concerned in the original issuing or Circulation of such Token, in like manner as the Amount or Value of any Promissory Notes payable to Bearer, and issuable by Law, may now be recovered, to pay off or discharge the same.

Issuers of Local Tokens liable to pay same by Law.

IV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to authorize or make legal the issuing of any Promissory Note, not being a Token composed of Gold or Silver, or of mixed Metal composed partly of Gold or Silver, which cannot now be issued by Law.

Act not to authorize issue of Promissory Notes under 20s.

V. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to any Tokens issued or circulated by or under the Authority of the Governor and Company of the Bank of *England*, or by or under the Authority of the Governor and Company of the Bank of *Ireland* respectively; or in any manner to affect any such Tokens, or the Circulation thereof; or to subject any Company or Companies, or Person or Persons, to any Penalty for issuing or circulating any such Tokens.

Act not to extend to Tokens of Bank of England or Ireland.

VI. And be it further enacted, That all Penalties and Forfeitures imposed by this Act shall and may be recoverable and recovered and levied and applied, in like manner and by such means as the like Penalties and Forfeitures are made recoverable by the said recited Act; and all the Powers, Authorities, Clauses, Matters and Provisions, in the recited Act contained, shall be and remain and continue

Penalties how recovered.

continue in full Force, and be applied and executed for the enforcing the Provisions of this Act, and for the recovering and applying of any Penalties and Forfeitures under this Act, as fully and effectually as if all such Powers, Authorities, Clauses and Provisions, were severally and separately re-enacted in and made Part of this Act.

Act repealed,  
&c.

VII. And be it further enacted, That this Act may be altered, amended or repealed, by any Act or Acts to be passed in the present Session of Parliament.

### C A P. CXV.

An Act to insure the proper and careful manufacturing of Fire Arms in *England*; and for making Provision for proving the Barrels of such Fire Arms. [10th July 1813.]

‘ WHEREAS serious Injuries are frequently sustained by  
 ‘ Persons using Guns, Fowling Pieces, Blunderbusses, Pistols  
 ‘ and other Fire Arms, from the bursting thereof, in consequence  
 ‘ of the Barrels of such Guns, Fowling Pieces, Blunderbusses,  
 ‘ Pistols and Fire Arms, not having been sufficiently proved;  
 ‘ and it is therefore expedient that the Manufacturers of Fire Arms  
 ‘ should be compelled to prove the same at some Place appropriated  
 ‘ for that Purpose as a Public Proof House: And whereas great  
 ‘ Quantities of Fire Arms and Barrels for Fire Arms are manufactured  
 ‘ in the Town of *Birmingham* and the Vicinity thereof, and it would  
 ‘ tend to the Safety and Security of the Public if a Proof House for  
 ‘ Fire Arms, under proper Superintendance and Inspection, were to  
 ‘ be established in or near the said Town:’ 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 Expiration of Three Weeks from the passing of this Act,  
 no Barrel shall be used in the making or manufacturing of any Gun,  
 Fowling Piece, Blunderbuss, Pistol or other Description of Fire  
 Arms usually called Small Arms, unless the same shall have been  
 duly proved at the Proof House of the Gunmakers’ Company in  
*London*, or at the Proof House to be established under the Pro-  
 visions of this Act, or some Proof House belonging to His Majesty,  
 or other Proof House established as a Public Proof House by Law;  
 and which Public Proof Houses His Majesty is hereby authorized  
 and empowered to establish in such Places, and under such Regula-  
 tions as to the Care and Management thereof, as His Majesty shall  
 think fit

Barrels of Fire  
Arms not to be  
used, unless  
duly proved.

Using or selling  
Barrels not duly  
proved.

II. And be it further enacted, That, from and after the Expiration of Three Weeks from the passing of this Act, every Person who shall use or cause or procure to be used any Barrel in the making, manufacturing or finishing of any Gun, Fowling Piece, Blunderbuss, Pistol, or any other Description of Fire Arms as aforesaid, or who shall sell or cause to be sold any Barrel for the making of any Gun, Fowling Piece, Blunderbuss, Pistol or other Description of Fire Arms, which shall not first have been duly proved, and marked as proved at the Gunmakers Company’s Proof House in *London*, or at the Proof House to be established under the Provisions of this Act, or some Proof House belonging to His Majesty, or other Public

Public Proof House established as such by Law or by His Majesty, shall forfeit and pay for every such Offence any Sum not exceeding Twenty Pounds to be recovered as hereinafter mentioned. Penalty.

III. Provided always, and be it further enacted and declared, That nothing in this Act contained shall extend, or be construed to extend to that Part of the United Kingdom called *Scotland*, or to that Part of the United Kingdom called *Ireland* (except as to the forging Marks as in this Act after mentioned), or to the proving of any Barrels used in the manufacturing of any Musquet, Pistol or other Fire Arms, for the Use of His Majesty's Forces, or for the Honourable *East India Company*. Proviso for Scotland and Ireland, and for Arms for Military Service, and for East India Company.

IV. And be it further enacted, That, from and after the passing of this Act, the Lord Lieutenants of the respective Counties of *Warwick*, *Worcester* and *Stafford*, and the Persons serving in Parliament for the said Counties respectively for the time being, and *Robert Wheeler*, *John Adams*, *Thomas Archer junior*, *Richard Lutterland*, *John Heely*, *John Oughton*, *William Ryan*, *Burtholemeu Redfern*, *John Williams Keene*, *John Smith*, *William Allport*, *John Jones*, *George Jones*, *Gad Parsons*, *Joseph Buncney*, and their successors to be chosen in manner hereinafter directed, shall be and they are hereby declared to be a Body Politic and Corporate, and shall be called or known by the Name of "The Guardians, Trustees and Wardens of the Gun Barrel Proof House of the Town of *Birmingham*," for the Purpose of proving or causing to be proved, in the manner directed by this Act, all Barrels for Guns, Fowling Pieces, Blunderbusses, Pistols, and every other Description of Fire Arms which shall be brought to the Proof House at *Birmingham*, to be proved according to the Provisions of this Act; and it shall be lawful for such of the Members of the said Company as shall be resident in the Town of *Birmingham*, or within Twenty Miles thereof, and they are hereby authorized and required, on or before the First Day of *August* next, to meet at some convenient Place within the Town of *Birmingham*, and the major Part of the Guardians then present (such major Part not being less than Ten) shall choose Three Persons, out of the said Guardians, Trustees and Wardens, to be Wardens of the said Proof House to inspect and superintend the Proofs or proving of all Barrels sent to be proved at the said House, and to have the sole Management thereof for One Year and no longer, unless re-elected by the said Guardians, Trustees and Wardens, in manner hereinafter mentioned.

V. And, for continuing a sufficient Number of fit and proper Persons, in addition to such Lord Lieutenants and Members of Parliament as aforesaid, who are to continue to be Guardians, Trustees and Wardens, for putting in Execution the Powers of this Act, be it further enacted, That the said Guardians, Trustees and Wardens shall, and they are hereby authorized and required to meet annually on the Sixteenth Day of *March* (unless it shall happen to be on a *Sunday*, and then on the Day following) in some convenient Place in the Town of *Birmingham*, and to elect and choose in manner aforesaid, fit and proper Persons resident in the said Town of *Birmingham*, or within Twenty Miles thereof, in the Place and Stead of such of the said Guardians, Trustees and Wardens (other than and except such Lord Lieutenants and Members as aforesaid), who shall have died or removed to a greater Distance than Twenty Miles

Persons chosen in Place of those who shall die; and Wardens to be elected annually.

Miles from *Birmingham*, or declined to act as such Guardians, Trustees or Wardens, so as by reason of such Choice there shall not be, when the said Guardians, Trustees and Wardens are complete, more than Fifteen, in addition to such Lord Lieutenants and Members as aforesaid; and that immediately after the full Number shall have been so filled up in manner aforesaid, they shall be enabled and are hereby authorized and directed to proceed to the Election of Three Persons, by Majority of Voices of the Persons present, to be Wardens of the said Company for the ensuing Year, and if any of the said Wardens, so chosen as aforesaid, shall happen to die, or remove to a greater Distance than Twenty Miles from *Birmingham*, then the said Guardians, Trustees and Wardens shall, at some Meeting to be held at *Birmingham* within One Calendar Month after such Death or Removal as aforesaid (and of which Meeting Seven Days' Notice shall be given) choose another Person out of the said Guardians, Trustees and Wardens, in manner aforesaid, to be Warden in his Room, and such Person shall and is hereby authorized and required to act accordingly for the Remainder of the Year.

Company to provide a proper Proof House, and all Things necessary for proving Barrels.

‘ VI. And whereas certain Sums of Money have been subscribed in the Town of *Birmingham*, for the Erection and Establishment of a Public Proof House;’ Be it therefore further enacted, That the said Guardians, Trustees and Wardens shall, immediately after the passing of this Act, enter all such Subscriptions in a Book to be kept for that Purpose, and shall call for the Money so subscribed in regular Proportion from the Subscribers, as they shall think fit; and which Sums the said Guardians, Trustees and Wardens, are hereby authorized to demand and receive, and in case of Refusal to proceed by Action at Law in the Name of the Treasurer for the time being, in which Action it shall be sufficient to state that the Person subscribing is indebted to the said Treasurer for the Sum subscribed under the Provisions of this Act; and the said Guardians, Trustees and Wardens shall, out of such Monies, in the first place, pay and reimburse all Expences and Charges incurred in or arising out of the passing of this Act, and in the next place, erect and establish a proper Proof House, with all things necessary for the proving Barrels of Fire Arms, and shall at all times hereafter well and sufficiently maintain and keep up the same in proper Order and Condition, for the proving of all such Fire Arms as shall be sent to such House for Proof.

Barrels proved and marked.

VII. And be it further enacted, That all Barrels brought to the Proof House to be erected as aforesaid for Proof shall be proved with Powder of equal Quality as the Powder which is now used by the Honourable Board of Ordnance, and according to the Scale or Table hereinafter mentioned; that is to say,

SCALE.



## S C A L E.

Number of Balls to a lb.			Weight of Powder for Proof.	Number of Balls to a lb.			Weight of Powder for Proof.
			oz. drs.				oz. drs.
No. 1.	-	-	11 0	No. 26.	-	-	0 8 $\frac{1}{2}$
2.	-	-	5 5	27.	-	-	0 8 $\frac{1}{2}$
3.	-	-	3 8	28.	-	-	0 8 $\frac{1}{2}$
4.	-	-	2 11	29.	-	-	0 7 $\frac{1}{2}$
5.	-	-	2 2	30.	-	-	0 7 $\frac{1}{2}$
6.	-	-	1 12	31.	-	-	0 7 $\frac{1}{2}$
7.	-	-	1 8	32.	-	-	0 7 $\frac{1}{2}$
8.	-	-	1 6	33.	-	-	0 7
9.	-	-	1 2	34.	-	-	0 7
10.	-	-	1 1	35.	-	-	0 7
11.	-	-	0 16	36.	-	-	0 7
12.	-	-	0 16	37.	-	-	0 7
13.	-	-	0 15	38.	-	-	0 6 $\frac{1}{2}$
14.	-	-	0 14	39.	-	-	0 6 $\frac{1}{2}$
15.	-	-	0 14	40.	-	-	0 6 $\frac{1}{2}$
16.	-	-	0 13 $\frac{1}{2}$	41.	-	-	0 6
17.	-	-	0 13 $\frac{1}{2}$	42.	-	-	0 6
18.	-	-	0 12 $\frac{1}{2}$	43.	-	-	0 6
19.	-	-	0 11	44.	-	-	0 6
20.	-	-	0 10	45.	-	-	0 5 $\frac{1}{2}$
21.	-	-	0 10	46.	-	-	0 5 $\frac{1}{2}$
22.	-	-	0 9	47.	-	-	0 5 $\frac{1}{2}$
23.	-	-	0 9	48.	-	-	0 5 $\frac{1}{2}$
24.	-	-	0 8 $\frac{1}{2}$	49.	-	-	0 5 $\frac{1}{2}$
25.	-	-	0 8 $\frac{1}{2}$	50.	-	-	0 5 $\frac{1}{2}$

And which Scale of Proofs is equal to the Proofs of the Honourable Board of Ordnance, in Proportion to the Calibres of the Barrels proved by them; and when so proved, such Barrels shall be marked with the following Marks; *viz.*



and no other; and it shall be lawful for the said Guardians, Trustees and Wardens, at their Annual General Meetings, to make and establish

G g 2

establish such Rules and Regulations as may from time to time appear to them to be necessary for the receiving Barrels for Proof, and for proving and marking the same, and redelivering the Barrels when so proved and marked as aforesaid; and to fix and regulate from time to time the Sums to be paid for such Proofs, so as that no higher Sum than One Shilling shall in any case be demanded, or taken, or received in respect of any One Barrel brought to such House to be proved and marked under this Act.

Prover appointed by Company.

VIII. And be it further enacted, That the said Company shall annually, on the Sixteenth Day of *March* (unless it shall happen to be on a *Sunday*, and then on the Day following) meet at some convenient Place within the Town of *Birmingham*, and choose, by Majority of Voices, a skilful Person experienced in proving Gun Barrels, who shall continue in Office One Year (if the Wardens for the time being shall think fit) who (with such Assistant or Assistants as shall also be appointed by the said Wardens for that Purpose) shall prove all Barrels brought to him for that Purpose, according to the Scale or Table hereinbefore set forth, and having proved them, shall mark or cause the same to be marked with the Marks hereinbefore set forth, and according to such Rules and Regulations as shall be established in that Behalf: and such Person, on Election and before he begins to act, shall take the following Oath before One of His Majesty's Justices of the Peace for the County of *Warwick*; *videlicet*,

Proof Master's Oath.

I do swear, That I will be faithful and true to our Sovereign Lord King *George*, and will so long as I continue Proof Master of the *Birmingham* Gun Barrel Proof House, well and faithfully behave myself in the said Office, and prove all Barrels brought to me for that Purpose, according to the Scale or Table mentioned and set forth in an Act of Parliament made and passed in the Fifty third Year of the Reign of King *George* the Third, intituled *An Act* [*here insert the Title of this Act*]; and that I will not during the time I shall continue such Proof Master, take any Fee or Reward from any Person or Persons, to prove any Barrel or Barrels otherwise than as the said Act directs; and that I will execute the said Office without Favour or Affection, Prejudice or Malice, and to the best of my Skill and Ability.

'So help me GOD.'

Which Oath any One of His Majesty's Justices of the Peace for the said County of *Warwick* is hereby authorized and empowered to administer.

Forging or counterfeiting the Marks.

IX. And be it further enacted, That if any Person whatsoever shall in any Part of the United Kingdom forge or counterfeit, or cause or procure to be forged or counterfeited, any Mark or Stamp used or which may be used at either of such Proof Houses as aforesaid, for marking Barrels in pursuance of this Act; or shall wilfully or knowingly sell or use in the making or manufacturing of any Gun, Fowling Piece, Blunderbuss, Pistol or other Description of Arms as aforesaid, any Barrel whereon any Mark or Stamp, which shall be forged or counterfeited in Imitation of or to resemble any Mark or Stamp so used or to be used at either of such Proof Houses as aforesaid; every such Person so offending, and being thereof lawfully convicted, shall forfeit and pay for every such Offence any Sum not exceeding Twenty Pounds, to be recovered as hereinafter mentioned.

Penalty.

X. And

X. And be it further enacted, That the said Guardians, Trustees and Wardens shall, at their First Meeting to be held under this Act, and afterwards at such Annual Meetings as aforesaid, elect and appoint a Treasurer, who shall keep a true and accurate Account of all Sums of Money received and disbursed by him under the Orders of the said Guardians, Trustees and Wardens as aforesaid, in a Book to be kept by him for that Purpose, and also of all Rules and Regulations from time to time made, established and allowed in relation to such Proof House; and such Book shall at all times be open to the Inspection of any Guardian, Trustee or Warden of the said Proof House as aforesaid; and the Accounts of such Treasurer shall be audited once in each Year at some General or Adjourned Meeting of the said Guardians, Trustees and Wardens; and such Treasurer shall give Security to the said Guardians, Trustees and Wardens, in their Corporate Name and Style for the due Execution of his Trust, and accounting for all Monies as aforesaid; and it shall be lawful for the said Guardians, Trustees and Wardens, from time to time to allow to such Treasurer, and also to the Proof Master and any Assistant or Assistants of such Proof Master, such reasonable Salaries and Allowance, as shall, in the Judgment of the Majority of the said Guardians, Trustees and Wardens present at any General Meeting, be fit and proper, and from time to time to alter the same if they shall think fit.

Appointment of  
Treasurer.

XI. And be it further enacted, That the Sums to be received, and which shall from time to time be received for such Proofs of Barrels as aforesaid, shall be applied in the first place in the making such Proofs and paying all incidental Expences arising therefrom, and in the keeping up, maintaining and repairing the Proof House, and afterwards in the Payment of the Salaries of the Proof Master, and any Assistant or Assistants as aforesaid, and of the said Treasurer, and in other incidental Expences which may arise in the Execution of the said Trust; and after such Payment, the Surplus Money shall be applied in the Payment of the Interest, at and after the Rate of Five Pounds *per Centum*, of the Sums subscribed and advanced for the erecting and establishing such Proof House and carrying this Act into Execution; and after Payment of such Interest, then in the Repayment of such Principal Sums: And the said Guardians shall, as far as the same can be done, regulate the Sums to be paid for Proofs (not exceeding in any one case, such One Shilling *per Barrel* as aforesaid) in such manner as to pay Five Pounds *per Centum* at the least for each One hundred Pounds so advanced, or in like Proportion for any greater or less Sum in each Year upon the Principal Sum so advanced, until such Sum shall have been wholly paid off and satisfied; and thereafter to regulate the Sums to be received for Proofs in such manner as to insure the due Maintenance, Repair and Keeping of the said Proof House, and Payment of all such incidental Expences and Salaries as aforesaid.

Application of  
Money received  
for proving.

XII. And be it further enacted, That any Offence against this Act shall and may be heard and determined in a summary way before any Two of His Majesty's Justices of the Peace for the County, Riding, Division, City, Town, Liberty or Place, where any such Offence shall be committed; and the Conviction for the same may be had and made upon the Oath or Oaths of one or more credible Witnesses or Witnesses; and the Amount of the Forfeiture or Penalty

Offences heard  
before and deter-  
mined by  
Justices of  
Peace.

for every such Offence shall be fixed and determined by such Justices, not exceeding the Sums hereinbefore mentioned; and One Moiety thereof shall be paid and payable to the Informer, and the other Moiety thereof to the Overseers of the Poor of the Parish or Place where such Offence shall be committed; and in case any such Forfeiture or Forfeitures or Penalty or Penalties shall not be forthwith paid pursuant to such Conviction, and the Person so convicted shall not signify his Intention to appeal against such Conviction, and forthwith enter into Recognizance before such Justices, himself in the Penalty of Forty Pounds, with Two sufficient Sureties in the Penalty of Twenty Pounds each, of lawful Money of Great Britain, with Condition to personally appear and prosecute such Appeal at the next General Quarter or General Sessions of the Peace to be holden for the County, Riding, Division, City, Town, Liberty or Place, where such Offence shall have been charged to have been committed, such Justices shall, by Warrant under their Hands, cause the same Penalties to be levied by Distress and Sale of the Offender's Goods and Chattels, together with the Costs and Charges attending such Distress and Sale; and in case no sufficient Distress can be had, such Justices shall, by Warrant under their Hands, commit the Offender to the Common Gaol or House of Correction within their Jurisdiction, there to remain without Bail or Mainprize for any time not exceeding Six Calendar Months.

Appeal.  
Recognizance.

Distress.

Imprisonment.

Convictions  
drawn up in  
Form of Sched-  
ule to Act.

XIII. And be it further enacted, That the Justices before whom any Person or Persons shall be convicted of any Offence against this Act may cause all such Convictions to be drawn up on Parchment or Paper, in the Form or to the Effect set forth in the Schedule to this Act annexed; and such Conviction shall be transmitted by such Justices to the next General Sessions or General Quarter Sessions of the Peace to be holden for the County, Riding, Division, City, Town, Liberty or Place wherein such Conviction was had, to be filed and kept amongst the Records of the said General Sessions or General Quarter Sessions.

Appeal to Gene-  
ral Sessions or  
General Quarter  
Sessions.

XIV. Provided always, and be it further enacted, That if any Person convicted of any Offence or Offences punishable by this Act, shall think himself or herself aggrieved by the Judgment of such Justices before whom he or she shall have been convicted, such Person shall have Liberty to appeal from every such Conviction to the next Court of General Sessions or General Quarter Sessions of the Peace which shall be held for the County, Riding, Division, City, Town, Liberty or Place wherein such Offence was committed; and the Justices in or at the said next Court of General Sessions or General Quarter Sessions, are hereby authorized and required to hear and determine the Matter of the said Appeal, and to award such Costs as to them shall appear just and reasonable, to be paid to either Party, which Decision shall be final; and if upon hearing the said Appeal, the Judgment of the Justices before whom the Appellant shall have been convicted, shall be confirmed, such Appellant shall forthwith pay the Forfeitures or Penalty mentioned in such Conviction, and the Costs awarded to be paid by such Appellant; and in Default of Payment thereof, such Appellant shall immediately be committed by the said Court to the Common Gaol or House of Correction of the County, Riding, Division, City, Town, Liberty or Place, where any such Offence may have been committed, there to remain for any time

Decision final.

Imprisonment.

time not exceeding Six Calendar Months, unless such Penalty and Costs shall be sooner paid.

XV. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons, for any thing done in pursuance of this Act, until after Thirty Days Notice in Writing shall be thereof given to the Treasurer to the said Guardians, Trustees and Wardens, or after sufficient Satisfaction made or tendered, or after Six Calendar Months next after the Fact committed, for which such Action or Actions, Suit or Suits shall be so brought; and all such Actions or Suits shall be laid and tried in the County of Warwick, and not elsewhere; and that the Defendant or Defendants in such Action or Actions, Suit and 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 or on which such Action or Actions, Suit or Suits shall be 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 Thirty Days Notice was given as before directed, or that sufficient Satisfaction was made or tendered, or paid into Court 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, City or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants therein; and if a Verdict shall be found for such Defendant or Defendants, or if the Plaintiff or Plaintiffs in such Action or Actions, Suit or Suits, shall become nonsuited, or suffer a Discontinuance of such Action or Actions, Suit or Suits, or if upon a Demurrer or Demurrers in such Action or Actions, Suit or Suits, Judgment shall be given for the Defendant or Defendants therein, then and in either of the cases aforesaid, such Defendant or Defendants shall have Treble Costs, and shall have such Remedy and Remedies for recovering the same, as any Defendant or Defendants may have for the Recovery of his, her or their Costs in other cases by Law.

Limitation of Actions.

General Issue.

Treble Costs.

Public Act.

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

The SCHEDULE to which this Act refers.

FORM OF CONVICTION.

to wit } BE it remembered, That on the Day of in the Year of our Lord is convicted before us [naming the Justices] Two of His Majesty's Justices of the Peace for the County of [or, Riding, City, Liberty, Division, Town or Place] for that the said [here state the Offence] contrary to the Statute made in the Fifty third Year of the Reign of King George the Third, intituled An Act [here set forth the Title of this Act]: And we the said Justices do hereby adjudge and determine the said for the said Offence, to forfeit and pay the Sum of of

of lawful Money of Great Britain, and do order One Moiety thereof to be forthwith paid by him to [the Informer] and the other Moiety thereof to the Overseers of the Poor of the Parish of [where the Offence was committed.] Given under our Hands the Day and Year above written.

## C A P. CXVI.

An Act to alter and amend Two Acts of the Thirty first Year of King George the Second, and the Thirteenth Year of His present Majesty, so far as relates to the Price and Assize of Bread to be sold out of the City of London and the Liberties thereof, and beyond the Weekly Bills of Mortality, and Ten Miles of the Royal Exchange. [10th July 1813.]

- 31 G. 2. c. 29. WHEREAS by an Act, passed in the Thirty first Year of the Reign of His late Majesty King George the Second, intituled *An Act for the due making of Bread, and to regulate the Price and Assize thereof, and to punish Persons who shall adulterate Meal, Flour or Bread*; and by another Act, passed in the Thirteenth Year of the Reign of His present Majesty, intituled *An Act for better regulating the Assize and making of Bread*; Provision is made for setting the Price and Assize of Bread, according to the several Regulations contained in the said Acts for that Purpose: And whereas
- 37 G. 3. c. 98. by an Act passed in the Thirty seventh Year of the Reign of His present Majesty, intituled *An Act to amend and render more effectual an Act, made in the Thirty first Year of the Reign of His late Majesty King George the Second, intituled An Act for the due making of Bread, and to regulate the Price and Assize thereof, and to punish Persons who shall adulterate Meal, Flour or Bread, so far as the same relates to the Assize and making of Bread to be sold in the City of London and the Liberties thereof, and within the Weekly Bills of Mortality, and within Ten Miles of the Royal Exchange*; and by another Act passed in the Forty fifth Year of the Reign of His said present Majesty, intituled *An Act for amending an Act passed in the Thirty seventh Year of His present Majesty, to amend and render more effectual an Act made in the Thirty first Year of His late Majesty, for the due making of Bread, and to regulate the Price and Assize thereof, and to punish Persons who shall adulterate Meal, Flour or Bread, so far as the same relates to the Assize and making of Bread to be sold in the City of London and the Liberties thereof, and within the Weekly Bills of Mortality, and Ten Miles of the Royal Exchange*; certain other Provisions and Regulations are made for carrying the Purposes of the said Act of the Thirty first Year of the Reign of King George the Second into Execution, so far as relates to the Assize and making of Bread to be sold in the City of London and the Liberties thereof, and within the Weekly Bills of Mortality, and within Ten Miles of the Royal Exchange; and by the said Acts a fixed Allowance is given to the Makers and Sellers of Bread residing within those Limits: And whereas it is expedient that the Makers and Sellers of Bread residing beyond the said Limits, in Places where an Assize and Price of Bread is set, should also receive an Allowance for their Charges, Pains, Labour, Livelihood and Profit; and that Regulations should be made for procuring
- 45 G. 3. c. xxiii.

procuring more correct Returns of the Prices for which Wheat and Wheat Flour are sold, in or near Places where an Assize of Bread is set: 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 when and so often as the Court of Mayor and Aldermen, in any City where there shall be any such Court, and when such Court shall sit; and where there shall be no such Court, or their being any such, when the same shall not sit, the Mayor, Bailiffs or other Chief Magistrate of any such City, and in Towns Corporate or Boroughs, the Mayor, Bailiffs, Aldermen, or other Chief Magistrate or Magistrates for the time being of any such Town Corporate or Borough; or Two or more Justices of the Peace in such Towns and Places where there shall be no such Mayor, Bailiffs, Aldermen or Chief Magistrate; and when and so often as any Two or more Justices of the Peace of Counties at large, Ridings, Divisions or Districts, and whose respective Jurisdiction shall be beyond the City of *London* and the Liberties thereof, and beyond the Weekly Bills of Mortality, and Ten Miles of the *Royal Exchange*, shall deem it expedient to regulate the Price and Assize of Bread within their several and respective Jurisdictions, every such Court, Mayor, Bailiffs, Aldermen or other Chief Magistrate or Magistrates, or Justices of the Peace, shall and they are hereby authorized and required, before they shall set any Price or Assize of Bread, to nominate and appoint a fit and proper Person (not being a Cornfactor, Miller, Maltster, Baker, Clerk, Agent or other Person buying, selling or dealing in Wheat or Wheat Flour, or Bread made thereof), residing within or near such City, Town Corporate or Borough, County, Division, Riding, District or other Place, to receive weekly the Returns hereafter directed to be made of the Prices and Quantities of Wheat and Wheat Flour bought or sold in or near any such City, Town Corporate or Borough, Division, Riding, District or other Place where an Assize is intended to be set, and the Person so to be appointed shall be called "Receiver of Assize Returns" for such City, Town Corporate or Borough, County, Division, Riding, District or other Place; and every such Court, Mayor, Bailiffs, Aldermen or other Chief Magistrate or Magistrates, or Justices of the Peace, shall and they are hereby authorized and required in the same manner from time to time, upon the Death, Removal or Resignation of any such Receiver, to appoint some other fit and proper Person as aforesaid to be Receiver of Assize Returns for any such City, Town Corporate or Borough, County, Division, Riding, District or other Place.

Receiver of Assize Returns appointed where Assize fixed.

II. And be it further enacted, That every Person so to be appointed Receiver of Assize Returns as aforesaid shall, previous to his taking upon him the said Office, take and subscribe, before the Mayor, Bailiff or other Chief Magistrate of the City, Town Corporate, Borough or other Place, for which he shall be appointed Receiver, or before any One Justice of the Peace for any County, Division, Riding or District, for which he shall be appointed Receiver, the following Oath [or, being of the People called Quakers, Affirmation], which Oath or Affirmation every such Mayor, Bailiff or other Chief Magistrate or Justice of the Peace, is hereby authorized and required to administer; *videlicet*,

Receiver of Assize Returns to take Oath.

I A. B.

Form of Oath.

‘ I *A. B.* do swear, [*or, affirm*], That I will at all times during the time I hold the Office of Receiver of Assize Returns for [*the Name of the Place for which appointed*] make true and correct Returns of the whole Quantities and Prices of Wheat, and true and correct Returns of the whole Quantities and Prices of Wheaten Flour fit for making Wheaten Bread, Standard Wheaten Bread and Household Bread, taken separately, which shall, by means of the Returns made to me as Receiver of Assize Returns, under the Directions and Regulations of an Act, passed in the Fifty third Year of the Reign of King *George* the Third, intituled [*here insert the Title of this Act*], appear to have been bought within the times specified in the said Returns; and also that I will at all times as aforesaid make a true and correct Average of the Prices of the whole Quantity of Wheat, and a true and correct Average of the Prices of the whole Quantity of Wheaten Flour fit for making Wheaten Bread, Standard Wheaten Bread and Household Bread, taken separately, which by means of the said Returns made to me shall appear to have been so bought, according to the Directions and Regulations of the said Act; and that I will in all things, to the best of my Skill and Judgment, conform myself, as Receiver of Assize Returns, to the Directions of the said Act.’

Returns of  
Wheat and  
Flour made.

III. And be it further enacted, That as soon as a Receiver of Assize Returns shall be appointed for any City, Town Corporate or Borough, County, Division, Riding, District or other Place, where it is intended to set any Assize of Bread within the same, pursuant to the Directions of this Act, the Court of Mayor and Aldermen of any such City where there shall be any such Court, and when such Court shall sit; and where there shall be no such Court, or there being any such, when the same shall not sit, the Mayor, Bailiffs or other Chief Magistrate or Magistrates of any such City, and in Towns Corporate or Boroughs, the Mayor, Bailiffs, Aldermen or other Chief Magistrate or Magistrates for the time being of any such Town Corporate or Borough; or Two or more Justices of the Peace in such Towns and Places where there shall be no such Mayor, Bailiffs, Aldermen or Chief Magistrate; and Two or more Justices of the Peace of any such County, Division, Riding, District or other Place, shall cause Notice to be given according to the Form annexed to this Act, and in such manner as to such Court or Person or Persons shall seem proper, requiring all Cornfactors, Millers, Mealmen, Bakers and other Persons who are Dealers in Wheat or Wheat Flour, and residing or following their Trade within their respective Jurisdictions, or who shall buy or sell Wheat or Wheat Flour, either in the public Market or by private Contract within the same, to make Returns on some certain Day in each Week to the Receiver of Assize Returns appointed for any such City, Town Corporate or Borough, County, Division, Riding, District or other Place; and at such Place as shall be specified for that Purpose, of the true and precise Quantities of all Wheat and Wheaten Flour respectively, fit for making Wheaten Bread, Standard Wheaten Bread and Household Bread, which shall have been bought or sold by such Cornfactors, Millers, Mealmen, Bakers or other Persons Dealers in Wheat or Wheat Flour respectively, within Seven Days then preceding, and which Returns shall specify the true and exact Prices for which such Wheat or Wheaten Flour shall have been respectively bought or sold, and the Names and Residences of the  
Persons



Persons of whom bought, or to whom sold, and which Returns shall be made according to the Forms annexed to this Act, and be signed by the Party making the same: Provided always, that no Person or Persons buying or selling in the Course of the Seven Days then preceding, a less Quantity than One Quarter of Wheat, or One Sack of Flour, shall be required to make any such Returns; and provided also, that when any Court, Mayor, Bailiffs or other Chief Magistrate or Magistrates of any City, Town Corporate or Borough, or any Two or more Justices of the Peace of any County, Division, Riding, District or other Place, shall be well and duly satisfied that any Merchant, Dealer or other Person, shall buy or sell Wheat or Wheat Flour solely for the Purpose of being sent Coastwise, and which shall not be intended to be used or consumed in or within Fifteen Miles of the Place for which such Returns are required, it shall be lawful for any such Court, or Person or Persons, if they shall think fit, not to require Returns from any such Merchant, Dealer or other Person, of any such Wheat or Wheat Flour so intended to be sent Coastwise, and not to be used or consumed within Fifteen Miles of any such Place.

Proviso.

IV. And be it further enacted, That when in any City, Town Corporate or Borough, or in any Division, District or Riding of any County, or in any other Place where any Court, Mayor, Bailiffs or other Chief Magistrate or Magistrates, or Justices of the Peace, authorized by this Act to set an Affize and Price of Bread within their respective Jurisdictions, shall be desirous of setting the same, and where by reason of there not being a sufficient Market, sufficient and satisfactory Returns of the Quantities and Prices of Wheat and Wheat Flour bought and sold within their respective Jurisdictions, cannot be obtained, then and in every such case it shall be lawful for any such Court, Mayor, Bailiffs or other Chief Magistrate or Magistrates, or Justices of the Peace, from time to time to require Returns to be made of all Quantities of Wheat and Wheat Flour, bought or sold by all Cornfactors, Millers, Mealmen, Bakers and other Persons who are Dealers in Wheat or Wheat Flour, and who shall be residing or following their Trade within the Distance of Five Miles of the respective Jurisdictions of such Court, or Person or Persons as aforesaid requiring the same; or who shall buy or sell Wheat or Wheat Flour, either in any public Market or by private Contract within the said Distance; or it shall be lawful for any such Court, Mayor, Bailiffs or other Chief Magistrate or Magistrates, or Justices of the Peace, from time to time to require of any Receiver of Affize Returns of any Place near any such City, Town Corporate or Borough, Division, District or Riding, from which any Wheat or Wheat Flour may from time to time be brought for the supply of any such Place or Places, District, Division or Riding, a Duplicate of the Returns which shall be from time to time made by such Receiver of Affize Returns, of the Quantities and Prices of Wheat and Wheat Flour bought and sold within the Jurisdiction for which such Receiver shall be appointed, although such Cornfactors, Millers, Mealmen, Bakers or other Persons, or Receiver of Affize Returns, shall not be within the Jurisdiction of the Court, Mayor, Bailiffs or other Chief Magistrate or Magistrates, or Justices of the Peace, requiring such Returns; and every such Cornfactor, Miller, Mealman, Baker or other Persons, who are Dealers in Wheat

Obtaining Returns where no sufficient Market is held.

or

or Wheat Flour, and every Receiver of Affize Returns, who shall be required to make any such Returns, shall make the same in like manner and under the like Regulations in every respect as the like Returns of Wheat and Wheat Flour are required to be made by this Act; and the said Returns which shall be so made of the Quantities and Prices of Wheat and Wheat Flour, bought and sold either within Five Miles of the Jurisdiction of any Place, or which shall be so made by any Receiver of Affize Returns for any other Place than the Place in which an Affize of Bread is intended to be set, shall from time to time in computing the Average Prices of Wheat and Wheat Flour hereafter directed to be made, be added to and form Part of the Returns of Wheat and Wheat Flour which shall be made for the Place for which an Affize of Bread is intended to be set.

Returns made  
on Declaration.

V. And be it further enacted, That every Cornfactor, Miller, Mealman, Baker and other Persons who are or shall be Dealers in Wheat or Wheat Flour, and who shall be required by this Act to make any Returns of Wheat or Wheat Flour bought or sold by them, shall within One Month after they shall be required to make such Returns, make a Declaration in the Form following; that is to say,

‘ I *A. B.* do hereby declare, That the Returns of the Quantities  
‘ and Prices of Wheat and Wheat Flour bought or sold by me,  
‘ which I shall hereafter make, shall, to the best of my Knowledge  
‘ and Belief, be true and just, and to the best of my Judgment con-  
‘ formable to the Directions of an Act passed in the Fifty third Year  
‘ of the Reign of King George the Third, intituled *An Act to alter*  
‘ *and amend Two Acts of the Thirty first Year of King George the*  
‘ *Second, and the Thirteenth Year of His present Majesty, so far as*  
‘ *relates to the Price and Affize of Bread to be sold out of the City of*  
‘ *London, and the Liberties thereof, and beyond the Weekly Bills of*  
‘ *Mortality, and Ten Miles of the Royal Exchange.*’

Which Declaration shall be in Writing, and shall be subscribed with the Hand of such Miller, Mealman, Baker or other Person, who shall be a Dealer in Wheat or Wheat Flour, and shall be by them or their Agents respectively forthwith delivered to the Court, Mayor, Bailiff or other Chief Magistrate or Magistrates of the City, Town Corporate or Borough, or to some Justice of the Peace of the County, Division, District or other Place, where the Party making the same shall reside, who is hereby required to certify the same to, and such Certificate is hereby required to be filed by, the Clerk of the Peace for such County, Riding, Division or other Place, or by the Town Clerk for such City or Town respectively; and in case any Person shall buy or sell any Wheat or Wheat Flour, without having made the said Declaration, such Person shall, for every such Neglect, forfeit and pay a Sum not exceeding Five Pounds.

Penalty.

Receiver of Af-  
fize Returns to  
make up a Ge-  
neral Return.

VI. And be it further enacted, That from the said Returns of Wheat and Flour so to be made as aforesaid in every City, Town Corporate or Borough, County, Riding, Division or Place, where the same shall be made, a General Return or Account of the Quantities, Sorts and Prices of all Wheat and Flour made of Wheat, which shall, by means of the said Returns, appear to have been bought within the time specified therein, together with the Average Price of the whole Quantity of Wheat, and the Average Prices of the whole Quantity of Wheaten Flour fit for making  
Wheaten

Wheaten Bread, Standard Wheaten Bread and Household Bread, taken separately and respectively, shall be prepared and computed by the Receiver of Assize Returns for every such Place, within One Day from the receiving of the same; and the said General Return shall be entered and signed by him in some Book to be provided for that Purpose, in such manner and Form as any such respective Court, Mayor, Bailiff, Aldermen, Chief Magistrate or Magistrates, or Justices as aforesaid, within their respective Jurisdictions, shall from time to time appoint; and every such General Return and Average, when so entered, shall be submitted to such Court, or Person or Persons, for their Consideration or Correction: Provided always, that if any Court, Mayor, Bailiffs, Aldermen, Chief Magistrate or Magistrates, or Justices as aforesaid, shall at any time suspect that any Returns to be made as aforesaid, are not truly and *bona fide* made, and shall have issued a Summons to the Party or Parties making the same, for the Purpose of examining into the Truth of the same, pursuant to the Power and Authority hereafter contained for that Purpose, then and in that case the said Return or Returns whilst under Examination shall not be included in or form Part of the said General Return from which the Average Prices of Wheat and of Flour are to be computed as aforesaid.

VII. And be it further enacted, That within two Days after every such General Return and Average shall be so made and entered as aforesaid, the Assize and Weight of each Sort of Bread on which an Assize is intended to be set for every City, Town Corporate or Borough, County, Riding, Division and Place, where the same shall be made, and the Prices to be paid for the same respectively, shall from time to time be set and ascertained by the Court of Mayor and Aldermen of every such City where there shall be any such Court, and when the same shall sit, and when such Court shall not sit, by the Mayor of every such City; and where there shall be no such Court of Mayor and Aldermen in any such City, then by the Mayor, Bailiffs or other Chief Magistrate or Magistrates of every such other City; and in Towns Corporate and Boroughs by the Mayor, Bailiffs, Aldermen or other Chief Magistrate or Magistrates of every such Town Corporate or Borough; and by Two or more Justices of the Peace in Towns or Places where there shall be no such Mayor, Bailiffs, Aldermen, Chief Magistrate or Magistrates; and in Counties at large by Two or more Justices of the Peace within their respective Jurisdictions, from the said Average Prices, either of Wheat or of Flour, according to the Prices in the Tables annexed to this Act, either of Wheat or of Flour nearest the said Average Prices, in lieu and place of the Tables directed to be made use of by the said Acts of the Thirty first Year of the Reign of King George the Second, and the Thirteenth Year of the Reign of His present Majesty; and if at any time the Price of the Bushel of Wheat or Sack of Flour shall not amount to the lowest Price mentioned in the said Table, or shall exceed the highest Price mentioned therein, then and in either of the said cases it shall be lawful for all Courts, and Person and Persons duly authorized, to continue to set and ascertain within their several Jurisdictions the Assize and Price of Bread made for Sale or exposed to Sale, whatever the Price of the Bushel of Wheat or Sack of Flour may be: Provided always, that in setting and ascertaining the same, such Court, or Person or Persons respectively, shall duly observe the Proportions contained

Provide.

Setting Assize.

31 G. 2. c. 29.

13 G. 3. c. 62.

Provide.

38 G. 3 c. 62.

contained in the laid Tables annexed to this Act, as near as can be; and provided also, that the Allowance of Five pence *per* Quarter on Wheat, which, by an Act passed in the Thirty eighth Year of the Reign of His present Majesty, intituled *An Act to empower Magistrates and Justices of the Peace, in setting the Assize of Bread, to make an Allowance on account of the additional Duty on Salt*, Magistrates are directed to make the Bakers in setting the Assize of Bread on account of the then additional Duty on Salt, shall be considered and taken as included in the Allowance given to the Bakers by the said Tables annexed to this Act.

Assize to commence and continue as directed by Court.

VIII. And be it further enacted, That every Assize which shall be set in pursuance of this Act, for any City, Town Corporate or Borough, shall commence and take place on such Day in every Week, and be in force for such time not exceeding Seven Days from the setting of the same, and shall be made public in such manner, as the Court, Mayor, Bailiffs or other Chief Magistrate or Magistrates who shall set the same, shall from time to time direct and appoint; and that every Assize which shall be set in pursuance of this Act for any County, Division, Riding or District, shall commence and take place on such Day in every Week, and be in force for such time not exceeding Fourteen Days from the setting of the same, and shall be made public in such manner as the Justices of the Peace who shall set the same shall from time to time direct and appoint.

Where Wheat or Flour has been brought from a Distance, Addition made to Assize.

IX. And be it further enacted, That in cases where the Prices and Quantities of Wheat or Wheat Flour bought or sold in distant Places shall be returned, and be included in the Prices from which the general Average Price of Wheat and of Flour is made for any City, Town Corporate or Borough, County, Division, Riding or Place, where an Assize of Bread is set as hereinbefore directed, it shall be lawful for the Court, Mayor, Bailiffs or other Chief Magistrate or Magistrates of any such City, Town Corporate or Borough, or the Justices of the Peace in any such County, Division or Riding, and they are hereby required, previous to such Average being made, to add such an Allowance for the Expence and Risk of Carriage or Transportation, as from the Inquiry or Proof made shall to such Court or Courts, Mayor, Bailiffs or other Chief Magistrate or Magistrates, or Justices of the Peace, appear just and reasonable, so as that the Average Price of Wheat and Wheaten Flour, for any such City, Town Corporate or Borough, County, Division, Riding or Place may be from time to time ascertained according to what such Wheat or Wheaten Flour may truly have cost the Person or Persons who may have bought the same.

Refusing or making false Returns.

X. And be it further enacted, That every Cornfactor, Miller, Mealman, Baker or other Person, who is or hereafter shall be a Dealer in Wheat or Flour, and every Receiver of Assize Returns who shall be required by this Act to make any Return, who shall refuse or neglect to make any such Return in manner and Form by this Act directed, and at the time and the Place specified for that Purpose, or who shall make any false Return, shall forfeit for every such Offence any Sum not exceeding Ten Pounds, as the Court, or Person or Persons before whom any such Offender or Offenders shall be convicted, shall think fit and order.

Penalty.

Ascertaining Correctness of Returns.

XI. And be it further enacted, That if any Court, Mayor, Bailiffs or other Chief Magistrate or Magistrates, or Justice or Justices of the Peace

Peace authorized as aforesaid, who shall have thought proper to have ordered any Return to be made of the Price of Wheat or Flour, shall at any time within the Space of Fourteen Days after any such Return shall have been made, suspect that the same was not truly and *bona fide* made, then and in any such case it shall be lawful for any such Court, or Person or Persons, to summon before them respectively the Person or Persons making such Return; or any other Person or Persons who shall be thought to be likely to give any Information concerning the Premises, and to examine them respectively upon Oath touching the Rates and Prices the several Sorts of Wheat or of Flour mentioned in the said Return were there really and *bona fide* bought at or sold for, or agreed so to be, by him, her or them respectively, at any time or times within the Space mentioned in the said Return; and if any Person or Persons who shall be so summoned as aforesaid, shall neglect or refuse to appear on such Summons (and Proof shall be made on Oath of such Summons having been duly served upon him, her or them for that Purpose), or if any Person or Persons so summoned shall appear, and neglect or refuse to answer such lawful Questions touching the Premises as shall be proposed to him, her or them, by any such Court, or Person or Persons as aforesaid, without some just or reasonable Excuse, to be allowed of by any such Court, or Person or Persons as aforesaid, he, she or they so offending, on being convicted of any such Offence, either by the Oath of one or more credible Witnesses or Witnesses, or his or their own Confession before any such Court, or Person or Persons, shall on every such Conviction forfeit and pay any Sum not exceeding Ten Pounds, as any such Court or Person or Persons shall think fit and order; and if any Person who shall be so examined on Oath shall wilfully forswear him or herself, every such Person shall be subject and liable to be prosecuted as for Perjury, by Indictment or Information by due Course of Law, and if convicted, shall be liable to the Penalties Persons convicted of Perjury are subject and liable to.

Refusing to appear and answer.

Penalty.

Perjury.

XII. And be it further enacted, That neither this Act or any thing herein contained shall extend or be construed to extend to prejudice the ancient Right or Custom of the Two Universities of *Oxford* or *Cambridge*, or either of them, or of their or either of their Clerks of the Market, or the Practice within the several Jurisdictions of the said Universities, or either of them, used to set, ascertain and appoint the Assize and Weight of all Sorts of Bread to be sold or exposed to Sale within their several Jurisdictions; but that they and every of them shall and may severally and respectively from time to time as there shall be Occasion, set, ascertain and appoint, within their several and respective Jurisdictions, the Assize and Weight of all Sorts of Bread to be sold or exposed to Sale by any Baker or other Person whatsoever within the Limits of their several Jurisdictions, and shall and may inquire into and punish any Breach thereof, fully and freely in all respects as they used to do, and as if this Act had never been made; any thing herein contained to the contrary thereof notwithstanding.

Proviso for Universities.

XIII. And be it further enacted, That all Powers, Authorities, Provisions, Directions, Penalties, Forfeitures, Clauses, Matters and Things, contained in the said Acts of the Thirty first Year of the Reign of King *George* the Second, and the Thirteenth Year of the Reign of His present Majesty, or either of them, not altered or

Former Acts.

31 G. 2. c. 29.

13 G. 3. c. 62.

or varied by any of the Provisions of this Act, as far as the same are or can be made applicable, and can be applied for carrying into Execution the Purposes of this Act, shall be used, exercised and put in Execution for enforcing the Regulations, Provisions and Directions of this Act, in such and the same manner as if the same were herein contained, and were at large re-enacted and made Part of this Act; and the Penalties by this Act inflicted shall be recovered and applied in like manner as the Penalties inflicted by the said Act of the Thirty first Year of the Reign of King George the Second are directed to be recovered and applied.

31 G.2. c. 29.

Commencement of Act.

XIV. And be it further enacted, That this Act shall commence and take effect from and immediately after One Calendar Month from the passing thereof.

Public Act.

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

SCHEDULES to which this Act refers.

Schedule, No. 1.

FORM OF RETURN OF WHEAT.

AN ACCOUNT of all the Wheat fit for the Purpose of making Wheaten Bread, bought or sold [*as the case may be*] by [*insert Name*] of [*insert Residence*] in the Parish of \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ [*insert Dates*] both inclusive.

Date when bought or sold.	Seller's or Buyer's Name and Residence.	Quantities of Wheat. Qrs. • Bush.	Price per Quarter.	Total Price.

## Schedule, No. 2.

## FORM OF RETURN OF WHEATEN FLOUR.

AN ACCOUNT of all the Flour fit for making Wheaten Bread, bought or fold, [*as the case may be*] by [*Name*] of [*Residence*] in the Parish of from to [*insert Dates*] both inclusive.

Date when bought or fold.	Seller's or Buyer's Name and Residence.	Number of Sacks.	Price per Sack.

## Schedule, No. 3.

## FORM OF RETURN OF STANDARD WHEATEN FLOUR.

AN ACCOUNT of all the Flour fit for making Standard Wheaten Bread, bought or fold [*as the case may be*] by [*Name*] of [*Residence*] in the Parish of from to [*insert Dates*] both inclusive.

Date when bought or fold.	Seller's or Buyer's Name and Residence.	Number of Sacks.	Price per Sack.

N.B. The Flour included in this Return is to weigh Three Fourths of the Weight of the Wheat of which it is made.

## Schedule, No. 4.

## FORM OF RETURN OF HOUSEHOLD FLOUR.

AN ACCOUNT of all the Flour fit for making Household Bread bought or sold [as the case may be] by [Name] of [Residence] in the Parish of from to [insert Dates] both inclusive.			
Date when bought or sold.	Seller's or Buyer's Name and Residence.	Number of Sacks.	Price per Sack.

## Schedule, No. 5.

FORM of NOTICE when an Affize of Bread is intended to be set for any Place.

[Insert Name of Place] } NOTICE is hereby given, That by virtue  
 To Wit. } of an Act of Parliament, passed in the  
 Fifty third Year of the Reign of King *George* the Third, intituled  
*An Act* [here insert the Title of this Act] an Affize of Bread is intended to be set for this [insert City, or what it may be]; and all Cornfactors, Millers, Mealmen, Bakers and other Persons who are Dealers in Wheat or Wheat Flour, and residing or carrying on their Business within this Jurisdiction, or who buy or sell Wheat or Wheat Flour, either in the Public Market or by Private Contract within the same, or within Five Miles thereof, [to be added where it is intended to call for Returns within that Distance] are hereby required, on [insert Day] in each Week, till further Notice, to make Returns according to the Forms annexed to the said Act, and according to the Regulations of the same, to [insert Name] who has been duly appointed Receiver of Affize Returns under the said Act, at [insert Place where Returns to be made] of the true and precise Quantities of all Wheat and Wheaten Flour respectively, fit for making Wheaten Bread, Standard Wheaten Bread and Household Bread, which shall have been bought or sold by them within Seven Days preceding in each Week, and the true and exact Prices for which such Wheat or Wheaten Flour shall have been respectively bought or sold, and the



the Names and Residences of the Persons of whom bought, or to whom sold; and which Returns are to be signed by the Party making the same: And all Persons required by this Notice to make any such Returns who shall neglect or refuse to make the same, or who shall make any false Returns, will be liable to a Penalty for each Offence not exceeding the Sum of Ten Pounds.

(Signed) *A. B.*  
Receiver of Assize Returns for  
[*insert Name of Place*].

Schedule No. 6.—TABLE of the PRICE and ASSIZE of WHEATEN

THE PRICE TABLE.									
When the Average Price of WHEAT					When the Average Price of FLOUR		BREAD.		
Is returned at		Add for Grinding, Baking, &c. 15s. 10d. per Quarter, or 8d. per Peck Loaf.	Total Price, and Baking, per Quarter.	per Sack.	Total Price, and Baking, per Sack.	Price of Peck Loaf To weigh 17 lb. 6os.	Price of Half Peck Loaf. To weigh 8 lb. 11 os.	Price of Quarter Loaf. To weigh 4 lb. 5 os. 8 dr.	Price of Half Quarter Loaf. To weigh 2 lb. 2 os. 13 dr.
OR									
No.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
1.	39 8	4 11½	55 6	33 4	46 8	2 4	1 2	0 7	0 3½
2.	41 8	5 2½	57 6	35 0	48 4	2 5	1 2½	0 7½	0 3½
3.	43 8	5 5½	59 6	36 8	50 0	2 6	1 3	0 7½	0 3½
4.	45 8	5 8½	61 6	38 4	51 8	2 7	1 3½	0 7½	0 3½
5.	47 8	5 11½	63 6	40 0	53 4	2 8	1 4	0 8	0 4
6.	49 8	6 2½	65 6	41 8	55 0	2 9	1 4½	0 8½	0 4½
7.	51 8	6 5½	67 6	43 4	56 8	2 10	1 5	0 8½	0 4½
8.	53 8	6 8½	69 6	45 0	58 4	2 11	1 5½	0 8½	0 4½
9.	55 8	6 11½	71 6	46 8	60 0	3 0	1 6	0 9	0 4½
10.	57 8	7 2½	73 6	48 4	61 8	3 1	1 6½	0 9½	0 4½
11.	59 8	7 5½	75 6	50 0	63 4	3 2	1 7	0 9½	0 4½
12.	61 8	7 8½	77 6	51 8	65 0	3 3	1 7½	0 9½	0 4½
13.	63 8	7 11½	79 6	53 4	66 8	3 4	1 8	0 10	0 5
14.	65 8	8 2½	81 6	55 0	68 4	3 5	1 8½	0 10½	0 5½
15.	67 8	8 5½	83 6	56 8	70 0	3 6	1 9	0 10½	0 5½
16.	69 8	8 8½	85 6	58 4	71 8	3 7	1 9½	0 10½	0 5½
17.	71 8	8 11½	87 6	60 0	73 4	3 8	1 10	0 11	0 5½
18.	73 8	9 2½	89 6	61 8	75 0	3 9	1 10½	0 11½	0 5½
19.	75 8	9 5½	91 6	63 4	76 8	3 10	1 11	0 11½	0 5½
20.	77 8	9 8½	93 6	65 0	78 4	3 11	1 11½	0 11½	0 5½
21.	79 8	9 11½	95 6	66 8	80 0	4 0	2 0	1 0	0 6
22.	81 0	10 1½	96 10	68 4	81 8	4 1	2 0½	1 0½	0 6½
23.	83 0	10 4½	98 10	70 0	83 4	4 2	2 1	1 0½	0 6½
24.	85 0	10 7½	100 10	71 8	85 0	4 3	2 1½	1 0½	0 6½
25.	87 0	10 10½	102 10	73 4	86 8	4 4	2 2	1 1	0 6½
26.	89 0	11 1½	104 10	75 0	88 4	4 5	2 2½	1 1½	0 6½
27.	91 0	11 4½	106 10	76 8	90 0	4 6	2 3	1 1½	0 6½
28.	93 0	11 7½	108 10	78 4	91 8	4 7	2 3½	1 1½	0 6½
29.	95 0	11 10½	110 10	80 0	93 4	4 8	2 4	1 2	0 7
30.	97 0	12 1½	112 10	81 8	95 0	4 9	2 4½	1 2½	0 7½
31.	99 0	12 4½	114 10	83 4	96 8	4 10	2 5	1 2½	0 7½
32.	101 0	12 7½	116 10	85 0	98 4	4 11	2 5½	1 2½	0 7½
33.	103 0	12 10½	118 10	86 8	100 0	5 0	2 6	1 3	0 7½
34.	105 0	13 1½	120 10	88 4	101 8	5 1	2 6½	1 3½	0 7½
35.	107 0	13 4½	122 10	90 0	103 4	5 2	2 7	1 3½	0 7½
36.	109 0	13 7½	124 10	91 8	105 0	5 3	2 7½	1 3½	0 7½
37.	111 0	13 10½	126 10	93 4	106 8	5 4	2 8	1 4	0 8
38.	113 0	14 1½	128 10	95 0	108 4	5 5	2 8½	1 4½	0 8½
39.	115 0	14 4½	130 10	96 8	110 0	5 6	2 9	1 4½	0 8½
40.	117 0	14 7½	132 10	98 4	111 8	5 7	2 9½	1 4½	0 8½

BREAD, from the PRICE of WHEAT, and from the PRICE of FLOUR.

THE ASSIZE TABLE.

No. of Affize and Price.	The Penny Loaf,	The Two-penny Loaf,	The Three-penny Loaf,	The Six-penny Loaf,	The Twelve-penny Loaf,	The Eighteen-penny Loaf,	No.
	To weigh	To weigh	To weigh	To weigh	To weigh	To weigh	
	oz. dr.	lb. oz. dr.	lb. oz. dr.	lb. oz. dr.	lb. oz. dr.	lb. oz. dr.	
1.	9 14	1 3 13	1 13 12	3 11 9	7 7 2	11 2 11	1.
2.	9 9	1 3 2	1 12 12	3 9 8	7 3 0	10 12 8	2.
3.	9 4	1 2 8	1 11 12	3 7 9	6 15 3	10 6 12	3.
4.	8 15	1 1 14	1 10 14	3 5 12	6 11 9	10 1 6	4.
5.	8 11	1 1 6	1 10 1	3 4 2	6 8 4	9 12 6	5.
6.	8 6	1 0 13	1 9 4	3 2 8	6 5 1	9 7 10	6.
7.	8 2	1 0 5	1 8 8	3 1 0	6 2 1	9 3 2	7.
8.	7 15	0 15 14	1 7 13	2 15 10	5 15 5	8 14 15	8.
9.	7 11	0 15 7	1 7 2	2 14 5	5 12 10	8 11 0	9.
10.	7 8	0 15 0	1 6 8	2 13 1	5 10 2	8 7 3	10.
11.	7 5	0 14 10	1 5 15	2 11 14	5 7 12	8 3 10	11.
12.	7 2	0 14 4	1 5 6	2 10 12	5 5 8	8 0 4	12.
13.	6 15	0 13 14	1 4 13	2 9 11	5 3 6	7 13 1	13.
14.	6 12	0 13 8	1 4 5	2 8 10	5 1 5	7 10 0	14.
15.	6 9	0 13 3	1 3 13	2 7 11	4 5 6	7 7 2	15.
16.	6 7	0 12 14	1 3 6	2 6 12	4 13 9	7 4 5	16.
17.	6 5	0 12 10	1 2 15	2 5 14	4 11 13	7 1 11	17.
18.	6 2	0 12 5	1 2 8	2 5 1	4 10 2	6 15 3	18.
19.	6 0	0 12 1	1 2 2	2 4 4	4 8 8	6 12 12	19.
20.	5 14	0 11 13	1 1 11	2 3 7	4 6 15	6 10 7	20.
21.	5 12	0 11 9	1 1 6	2 2 12	4 5 8	6 8 4	21.
22.	5 10	0 11 5	1 1 0	2 2 0	4 4 1	6 6 1	22.
23.	5 8	0 11 1	1 0 10	2 1 5	4 2 11	6 4 1	23.
24.	5 7	0 10 14	1 0 5	2 0 11	4 1 6	6 2 1	24.
25.	5 5	0 10 11	1 0 0	2 0 1	4 0 2	6 0 3	25.
26.	5 3	0 10 7	0 15 11	1 15 7	3 14 15	5 14 6	26.
27.	5 2	0 10 4	0 15 7	1 14 14	3 13 12	5 12 10	27.
28.	5 0	0 10 1	0 15 2	1 14 5	3 12 10	5 10 15	28.
29.	4 15	0 9 14	0 14 14	1 13 13	3 11 11	5 9 8	29.
30.	4 14	0 9 12	0 14 10	1 13 4	3 10 8	5 7 12	30.
31.	4 12	0 9 9	0 14 6	1 12 12	3 9 8	5 6 4	31.
32.	4 11	0 9 6	0 14 2	1 12 4	3 8 8	5 4 3	32.
33.	4 10	0 9 4	0 13 14	1 11 12	3 7 9	5 3 6	33.
34.	4 8	0 9 1	0 13 10	1 11 5	3 6 11	5 2 0	34.
35.	4 7	0 8 15	0 13 7	1 10 14	3 5 12	5 0 11	35.
36.	4 6	0 8 13	0 13 3	1 10 7	3 4 15	4 15 6	36.
37.	4 5	0 8 11	0 13 0	1 10 1	3 4 2	4 14 3	37.
38.	4 4	0 8 8	0 12 13	1 9 10	3 3 5	4 12 15	38.
39.	4 3	0 8 6	0 12 10	1 9 4	3 2 8	4 11 13	39.
40.	4 2	0 8 4	0 12 7	1 8 14	3 1 12	4 10 10	40.

Schedule, No. 6.—TABLE of the PRICE and ASSIZE of WHEATEN

THE PRICE TABLE.										
When the Average Price of WHEAT				When the Average Price of FLOUR		BREAD.				
No.	Is returned at		Add for Grinding, Baking, &c. 15s. 10d. per Quarter, or 8d. per Peck Loaf.	OR	Is returned at	Add Baking &c. 13s 4d. per Sack.	Price of Peck Loaf. To weigh 17 lb. 6 oz.	Price of Half Peck Loaf. To weigh 8 lb. 11 oz.	Price of Quarter Loaf. To weigh 4 lb. 5 oz. 8 dr.	Price of Half Quarter Loaf. To weigh 2 lb. 2 oz. 12 dr.
	per Quarter	per Bushel.								
41.	119 0	14 10 $\frac{1}{2}$	134 10		100 0	113 4	5 8	2 10	1 5	0 8 $\frac{1}{2}$
42.	121 0	15 1 $\frac{1}{2}$	136 10		101 8	115 0	5 9	2 10 $\frac{1}{2}$	1 5 $\frac{1}{2}$	0 8 $\frac{1}{2}$
43.	123 0	15 4	138 10		103 4	116 8	5 10	2 11	1 5 $\frac{3}{4}$	0 8 $\frac{1}{2}$
44.	125 0	15 7 $\frac{1}{2}$	140 10		105 0	118 4	5 11	2 11 $\frac{1}{2}$	1 5 $\frac{3}{4}$	0 8 $\frac{1}{2}$
45.	127 0	15 10 $\frac{1}{2}$	142 10		106 8	120 0	6 0	3 0	1 6	0 9
46.	129 0	16 1 $\frac{1}{2}$	144 10		108 4	121 8	6 1	3 0 $\frac{1}{2}$	1 6 $\frac{1}{2}$	0 9 $\frac{1}{2}$
47.	181 0	16 4 $\frac{1}{2}$	146 10		110 0	123 4	6 2	3 1	1 6 $\frac{1}{2}$	0 9 $\frac{1}{2}$
48.	133 0	16 7 $\frac{1}{2}$	148 10		111 8	125 0	6 3	3 1 $\frac{1}{2}$	1 6 $\frac{1}{2}$	0 9 $\frac{1}{2}$
49.	135 0	16 10 $\frac{1}{2}$	150 10		113 4	126 8	6 4	3 2	1 7	0 9 $\frac{1}{2}$
50.	137 0	17 1 $\frac{1}{2}$	152 10		115 0	128 4	6 5	3 2	1 7 $\frac{1}{2}$	0 9 $\frac{1}{2}$
51.	139 0	17 4 $\frac{1}{2}$	154 10		116 8	130 0	6 6	3 3	1 7 $\frac{1}{2}$	0 9 $\frac{1}{2}$
52.	141 0	17 7 $\frac{1}{2}$	156 10		118 4	131 8	6 7	3 3 $\frac{1}{2}$	1 7 $\frac{1}{2}$	0 9 $\frac{1}{2}$
53.	143 0	17 10 $\frac{1}{2}$	158 10		120 0	133 4	6 8	3 4	1 8	0 10
54.	145 0	18 1 $\frac{1}{2}$	160 10		121 8	135 0	6 9	3 4 $\frac{1}{2}$	1 8 $\frac{1}{2}$	0 10 $\frac{1}{2}$
55.	147 0	18 4 $\frac{1}{2}$	162 10		123 4	136 8	6 10	3 5	1 8 $\frac{1}{2}$	0 10 $\frac{1}{2}$
56.	149 0	18 7 $\frac{1}{2}$	164 10		125 0	138 4	6 11	3 5 $\frac{1}{2}$	1 8 $\frac{1}{2}$	0 10 $\frac{1}{2}$
57.	150 0	18 9	166 10		126 8	140 0	7 0	3 6	1 9	0 10 $\frac{1}{2}$
58.	152 6	19 0 $\frac{1}{2}$	168 4		128 4	141 8	7 1	3 6 $\frac{1}{2}$	1 9 $\frac{1}{2}$	0 10 $\frac{1}{2}$
59.	154 6	19 3 $\frac{1}{2}$	170 4		130 0	143 4	7 2	3 7	1 9 $\frac{1}{2}$	0 10 $\frac{1}{2}$
60.	156 6	19 6 $\frac{1}{2}$	172 4		131 8	145 0	7 3	3 7 $\frac{1}{2}$	1 9 $\frac{1}{2}$	0 10 $\frac{1}{2}$
61.	158 6	19 9 $\frac{1}{2}$	174 4		133 4	146 8	7 4	3 8	1 10	0 11
62.	160 6	20 0 $\frac{1}{2}$	176 4		135 0	148 4	7 5	3 8 $\frac{1}{2}$	1 10 $\frac{1}{2}$	0 11 $\frac{1}{2}$
63.	162 6	20 3 $\frac{1}{2}$	178 4		136 8	150 0	7 6	3 9	1 10 $\frac{1}{2}$	0 11 $\frac{1}{2}$
64.	164 6	20 6 $\frac{1}{2}$	180 4		138 4	151 8	7 7	3 9 $\frac{1}{2}$	1 10 $\frac{1}{2}$	0 11 $\frac{1}{2}$
65.	166 6	20 9 $\frac{1}{2}$	182 4		140 0	153 4	7 8	3 10	1 11	0 11 $\frac{1}{2}$
66.	168 6	21 0 $\frac{1}{2}$	184 4		141 8	155 0	7 9	3 10 $\frac{1}{2}$	1 11 $\frac{1}{2}$	0 11 $\frac{1}{2}$
67.	170 6	21 3 $\frac{1}{2}$	186 4		143 4	156 8	7 10	3 11	1 11 $\frac{1}{2}$	0 11 $\frac{1}{2}$
68.	172 6	21 6 $\frac{1}{2}$	188 4		145 0	158 4	7 11	3 11 $\frac{1}{2}$	1 11 $\frac{1}{2}$	0 11 $\frac{1}{2}$
69.	174 6	21 9 $\frac{1}{2}$	190 4		146 8	160 0	8 0	4 0	2 0	1 0
70.	176 6	22 0 $\frac{1}{2}$	192 4		148 4	161 8	8 1	4 0 $\frac{1}{2}$	2 0 $\frac{1}{2}$	1 0 $\frac{1}{2}$
71.	178 6	22 3 $\frac{1}{2}$	194 4		150 0	163 4	8 2	4 1	2 0 $\frac{1}{2}$	1 0 $\frac{1}{2}$
72.	180 6	22 6 $\frac{1}{2}$	196 4		151 8	165 0	8 3	4 1 $\frac{1}{2}$	2 0 $\frac{1}{2}$	1 0 $\frac{1}{2}$

N. B.—By this Table, the Number of Pounds of Bread to be fold as the Price of a and, for the Sack of Flour,

BREAD, from the PRICE of WHEAT, and from the PRICE of FLOUR — *continued.*

THE ASSIZE TABLE.

No. of Affise and Price.	The Penny Loaf,	The Two-penny Loaf,	The Three-penny Loaf,	The Six-penny Loaf,	The Twelve-penny Loaf,	The Eightgen-penny Loaf,	No.
	<i>To weigh</i>	<i>To weigh</i> '	<i>To weigh</i>	<i>To weigh</i>	<i>To weigh</i>	<i>To weigh</i>	
	<i>oz. dr.</i>	<i>lb. oz. dr.</i>	<i>lb. oz. dr.</i>	<i>lb. oz. dr.</i>	<i>lb. oz. dr.</i>	<i>lb. oz. dr.</i>	
41.	4 1	0 8 2	0 12 4	1 8 8	3 1 0	4 9 9	41.
42.	4 0	0 8 0	0 12 1	1 8 2	3 0 5	4 8 8	42
43.	3 15	0 7 15	0 11 14	1 7 13	2 15 10	4 7 7	43
44.	3 14	0 7 13	0 11 11	1 7 7	2 14 15	4 6 7	44.
45.	3 13	0 7 11	0 11 9	1 7 2	2 14 5	4 5 8	45.
46.	3 12	0 7 9	0 11 6	1 6 13	2 13 11	4 4 8	46.
47.	3 12	0 7 8	0 11 4	1 6 8	2 13 1	4 3 9	47.
48.	3 11	0 7 6	0 11 1	1 6 3	2 12 7	4 2 11	48.
49.	3 10	0 7 5	0 10 15	1 5 15	2 11 14	4 1 13	49.
50.	3 9	0 7 3	0 10 18	1 5 10	2 11 5	4 0 15	50.
51.	3 9	0 7 2	0 10 11	1 5 6	2 10 12	4 0 2	51.
52.	3 8	0 7 0	0 10 8	1 5 1	2 10 3	3 15 13	52.
53.	3 7	0 6 15	0 10 6	1 4 13	2 9 11	3 14 9	53.
54.	3 6	0 6 13	0 10 4	1 4 9	2 9 2	3 13 12	54.
55.	3 6	0 6 12	0 10 2	1 4 5	2 8 10	3 13 0	55.
56.	3 5	0 6 11	0 10 0	1 4 1	2 8 3	3 12 4	56.
57.	3 4	0 6 9	0 9 14	1 3 13	2 7 11	3 11 9	57.
58.	3 4	0 6 8	0 9 12	1 3 9	2 7 3	3 10 13	58.
59.	3 3	0 6 7	0 9 11	1 3 6	2 6 12	3 10 2	59
60.	3 3	0 6 6	0 9 9	1 3 2	2 6 5	3 9 8	60
61.	3 2	0 6 5	0 9 7	1 2 15	2 5 14	3 8 13	61.
62.	3 1	0 6 3	0 9 5	1 2 11	2 5 7	3 8 3	62.
63.	3 1	0 6 2	0 9 4	1 2 8	2 5 1	3 7 9	63.
64.	3 0	0 6 1	0 9 2	1 2 5	2 4 10	3 6 15	64.
65.	3 0	0 6 0	0 9 1	1 2 2	2 4 4	3 6 6	65.
66.	2 15	0 5 15	0 8 14	1 1 13	2 3 10	3 5 7	66.
67.	2 15	0 5 14	0 8 13	1 1 11	2 3 7	3 5 3	67.
68.	2 14	0 5 13	0 8 12	1 1 8	2 3 1	3 4 10	68.
69.	2 14	0 5 12	0 8 11	1 1 6	2 2 12	3 4 2	69
70.	2 13	0 5 11	0 8 9	1 1 3	2 2 6	3 3 9	70.
71.	2 13	0 5 10	0 8 8	1 1 0	2 2 0	3 3 0	71.
72.	2 12	0 5 9	0 8 6	1 0 13	2 1 11	3 2 8	72.

Quarter of Wheat, including the Allowance as above, is 413 Pounds Avoirdupois;  
347 Pounds 8 Ounces Avoirdupois.

Schedule, No 7.—TABLE of the PRICE and ASSIZE of STANDARD WHEATEN.

THE PRICE TABLE.											
When the Average Price of WHEAT				OR		When the Average Price of FLOUR		BREAD.			
Is returned at			Add for Grindings, Baking, &c. 16s. 8d. per Quarter, or 8d. per Peck Loaf.	Is returned at		Add Baking &c. 13s. 4d. per Sack.					
No.	per Quarter.	per Bu shel.		Total Price, and Baking, per Quarter.	per Sack.		Total Price, and Baking, per Sack.	Price of Peck Loaf. To weigh 17 lb. 6 oz.	Price of Half Peck Loaf. To weigh 8 lb. 11 oz.	Price of Quarter Loaf. To weigh 4 lb. 5 oz. 8 dr.	Price of Half Quarter Loaf. To weigh 2 lb. 2 oz. 12 dr.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	
1.	39 6	4 11½	56 2	31 8	45 0	2 3	1 1½	0 6½	0 3½		
2.	41 6	5 2½	58 2	33 4	46 8	2 4	1 2	0 7	0 3½		
3.	43 8	5 5½	60 4	35 0	48 4	2 5	1 2½	0 7½	0 3½		
4.	45 8	5 8½	62 4	36 8	50 0	2 6	1 3	0 7½	0 3½		
5.	47 10	5 11½	64 6	38 4	51 8	2 7	1 3½	0 7½	0 3½		
6.	49 10	6 2½	66 6	40 0	53 4	2 8	1 4	0 8	0 4		
7.	52 0	6 6	68 8	41 8	55 0	2 9	1 4½	0 8½	0 4½		
8.	54 2	6 9½	70 10	43 4	56 8	2 10	1 5	0 8½	0 4½		
9.	56 2	7 0½	72 10	45 0	58 4	2 11	1 5½	0 8½	0 4½		
10.	58 4	7 3½	75 0	46 8	60 0	3 0	1 6	0 9	0 4½		
11.	60 4	7 6½	77 0	48 4	61 8	3 1	1 6½	0 9½	0 4½		
12.	62 6	7 9½	79 2	50 0	63 4	3 2	1 7	0 9½	0 4½		
13.	64 6	8 0½	81 2	51 8	65 0	3 3	1 7½	0 9½	0 4½		
14.	66 8	8 4	83 4	53 4	66 8	3 4	1 8	0 10	0 5		
15.	68 8	8 7	85 4	55 0	68 4	3 5	1 8½	0 10½	0 5½		
16.	70 10	8 10½	87 6	56 8	70 0	3 6	1 9	0 10½	0 5½		
17.	72 10	9 1½	89 6	58 4	71 8	3 7	1 9½	0 10½	0 5½		
18.	75 0	9 4½	91 8	60 0	73 4	3 8	1 10	0 11	0 5½		
19.	77 0	9 7½	93 8	61 8	75 0	3 9	1 10½	0 11½	0 5½		
20.	79 2	9 10½	95 10	63 4	76 8	3 10	1 11	0 11½	0 5½		
21.	81 2	10 1½	97 10	65 0	78 4	3 11	1 11½	0 11½	0 5½		
22.	83 4	10 5	100 0	66 8	80 0	4 0	2 0	1 0	0 6		
23.	85 4	10 8	102 0	68 4	81 8	4 1	2 0½	1 0½	0 6½		
24.	87 6	10 11½	104 2	70 0	83 4	4 2	2 1	1 0½	0 6½		
25.	89 6	11 2½	106 2	71 8	85 0	4 3	2 1½	1 0½	0 6½		
26.	91 8	11 5½	108 4	73 4	86 8	4 4	2 2	1 1	0 6½		
27.	93 8	11 8½	110 4	75 0	88 4	4 5	2 2½	1 1½	0 6½		
28.	95 10	11 11½	112 6	76 8	90 0	4 6	2 3	1 1½	0 6½		
29.	97 10	12 2½	114 6	78 4	91 8	4 7	2 3½	1 1½	0 6½		
30.	100 0	12 6	116 8	80 0	93 4	4 8	2 4	1 2	0 7		
31.	102 0	12 9	118 8	81 8	95 0	4 9	2 4½	1 2½	0 7½		
32.	104 2	13 0½	120 10	83 4	96 8	4 10	2 5	1 2½	0 7½		
33.	106 2	13 3½	122 10	85 0	98 4	4 11	2 5½	1 2½	0 7½		
34.	108 4	13 6½	125 0	86 8	100 0	5 0	2 6	1 3	0 7½		
35.	110 4	13 9½	127 0	88 4	101 8	5 1	2 6½	1 3½	0 7½		
36.	112 6	14 0½	129 2	90 0	103 4	5 2	2 7	1 3½	0 7½		
37.	114 6	14 3	131 2	91 8	105 0	5 3	2 7½	1 3½	0 7½		
38.	116 8	14 7	133 4	93 4	106 8	5 4	2 8	1 4	0 8		
39.	118 8	14 10	135 4	95 0	108 4	5 5	2 8½	1 4½	0 8½		
40.	120 10	15 1½	137 6	96 8	110 0	5 6	2 9	1 4½	0 8½		

BREAD, from the PRICE of WHEAT, and from the Price of FLOUR.

## THE ASSIZE TABLE.

No. of Affize and Price.	The Penny Loaf,	The Two-penny Loaf,	The Three-penny Loaf,	The Six-penny Loaf,	The Twelve-penny Loaf,	The Eighteen-penny Loaf,	No.
	To weigh	To weigh	To weigh	To weigh	To weigh	To weigh	
	oz. dr.	lb. oz. dr.	lb. oz. dr.	lb. oz. dr.	lb. oz. dr.	lb. oz. dr.	
1.	10 7	1 4 14	1 15 5	3 14 10	7 13 4	11 11 14	1.
2.	9 14	1 3 13	1 13 12	3 11 9	7 7 2	11 2 11	2.
3.	9 9	1 3 2	1 12 12	3 9 8	7 3 0	10 12 8	3.
4.	9 4	1 2 8	1 11 12	3 7 9	6 15 3	10 6 12	4.
5.	8 15	1 1 14	1 10 14	3 5 12	6 11 9	10 1 6	5.
6.	8 11	1 1 6	1 10 1	3 4 2	6 8 4	9 12 6	6.
7.	8 6	1 0 13	1 9 4	3 2 8	6 5 1	9 7 10	7.
8.	8 2	1 0 5	1 8 8	3 1 0	6 2 1	9 3 2	8.
9.	7 15	0 15 14	1 7 13	2 15 10	5 15 5	8 14 15	9.
10.	7 11	0 15 7	1 7 2	2 14 5	5 12 10	8 11 0	10.
11.	7 8	0 15 0	1 6 8	2 13 1	5 10 2	8 7 3	11.
12.	7 5	0 14 10	1 5 15	2 11 14	5 7 12	8 3 10	12.
13.	7 2	0 14 4	1 5 6	2 10 12	5 5 8	8 0 4	13.
14.	6 15	0 13 14	1 4 13	2 9 11	5 3 6	7 13 1	14.
15.	6 12	0 13 8	1 4 5	2 8 10	5 1 5	7 10 0	15.
16.	6 9	0 13 3	1 3 13	2 7 11	4 15 6	7 7 2	16.
17.	6 7	0 12 14	1 3 6	2 6 12	4 13 9	7 4 5	17.
18.	6 5	0 12 10	1 2 15	2 5 14	4 11 13	7 1 11	18.
19.	6 2	0 12 5	1 2 8	2 5 1	4 10 2	6 15 3	19.
20.	6 0	0 12 1	1 2 2	2 4 4	4 8 8	6 12 12	20.
21.	5 14	0 11 13	1 1 11	2 3 7	4 6 15	6 10 7	21.
22.	5 12	0 11 9	1 1 6	2 2 12	4 5 8	6 8 4	22.
23.	5 10	0 11 5	1 1 0	2 2 0	4 4 1	6 6 1	23.
24.	5 8	0 11 1	1 0 10	2 1 5	4 2 11	6 4 1	24.
25.	5 7	0 10 14	1 0 5	2 0 11	4 1 6	6 2 1	25.
26.	5 5	0 10 11	1 0 0	2 0 1	4 0 2	6 0 3	26.
27.	5 3	0 10 7	0 15 11	1 15 7	3 14 15	5 14 6	27.
28.	5 2	0 10 4	0 15 7	1 14 14	3 13 12	5 12 10	28.
29.	5 0	0 10 1	0 15 2	1 14 5	3 12 10	5 10 15	29.
30.	4 15	0 9 14	0 14 14	1 13 13	3 11 11	5 9 8	30.
31.	4 14	0 9 12	0 14 10	1 13 4	3 10 8	5 7 12	31.
32.	4 12	0 9 9	0 14 6	1 12 12	3 9 8	5 6 4	32.
33.	4 11	0 9 6	0 14 2	1 12 4	3 8 8	5 4 3	33.
34.	4 10	0 9 4	0 13 14	1 11 12	3 7 9	5 3 6	34.
35.	4 8	0 9 1	0 13 10	1 11 5	3 6 11	5 2 0	35.
36.	4 7	0 8 15	0 13 7	1 10 14	3 5 12	5 0 11	36.
37.	4 6	0 8 13	0 13 3	1 10 7	3 4 15	4 15 6	37.
38.	4 5	0 8 11	0 13 0	1 10 1	3 4 2	4 14 3	38.
39.	4 4	0 8 8	0 12 13	1 9 10	3 3 5	4 12 15	39.
40.	4 2	0 8 6	0 12 10	1 9 4	3 2 8	4 11 13	40.

(continued.)

Schedule, No. 7. — TABLE of the PRICE and ASSIZE of STANDARD WHEATEN

THE PRICE TABLE.									
When the Average Price of WHEAT				When the Average Price of FLOUR		BREAD.			
Is returned at		Add for Grinding, Baking, &c. 16s. 8d. per Quarter, or 8d. per Peck Loaf.	OR	Is returned at					
						Add Baking, &c. 18s. 4d. per Sack.			
No.	per Quarter.	per Bushel.	Total Price, and Baking, per Quarter.	per Sack.	Total Price, and Baking, per Sack.	Price of Peck Loaf. To weigh 17lb. 6oz.	Price of Half Peck Loaf. To weigh 8lb. 11oz.	Price of Quarter Loaf, To weigh 4lb. 5oz. 8 dr.	Price of Half Quarter Loaf. To weigh 2lb. 2oz. 12 dr.
41.	122 10	15 4½	139 6	98 4	111 8	5 7	2 9½	1 4½	0 8½
42.	125 0	15 7½	141 8	100 0	113 4	5 8	2 10	1 5	0 8½
43.	127 0	15 10½	143 8	101 8	115 0	5 9	2 10½	1 5½	0 8½
44.	129 2	16 1½	145 10	103 4	116 8	5 10	2 11	1 5½	0 8½
45.	131 2	16 4½	147 10	105 0	118 4	5 11	2 11½	1 5½	0 8½
46.	133 4	16 8	150 0	106 8	120 0	6 0	3 0	1 6	0 9
47.	135 4	16 11	152 0	108 4	121 8	6 1	3 0½	1 6½	0 9½
48.	137 6	17 2½	154 2	110 0	123 4	6 2	3 1	1 6½	0 9½
49.	139 6	17 5½	156 2	111 8	125 0	6 3	3 1½	1 6½	0 9½
50.	141 8	17 8½	158 4	113 4	126 8	6 4	3 2	1 7	0 9½
51.	143 8	17 11½	160 4	115 0	128 4	6 5	3 2½	1 7½	0 9½
52.	145 10	18 2½	162 6	116 8	130 0	6 6	3 3	1 7½	0 9½
53.	147 10	18 5½	164 6	118 4	131 8	6 7	3 3½	1 7½	0 9½
54.	150 0	18 9	166 8	120 0	133 4	6 8	3 4	1 8	0 10
55.	152 0	19 0	168 8	121 8	135 0	6 9	3 4½	1 8½	0 10½
56.	154 2	19 3½	170 10	123 4	136 8	6 10	3 5	1 8½	0 10½
57.	156 2	19 6½	172 10	125 0	138 4	6 11	3 5½	1 8½	0 10½
58.	158 4	19 9½	175 0	126 8	140 0	7 0	3 6	1 9	0 10½
59.	160 4	20 0½	177 0	128 4	141 8	7 1	3 6½	1 9½	0 10½
60.	162 6	20 3½	179 2	130 0	143 4	7 2	3 7	1 9½	0 10½
61.	164 6	20 6½	181 2	131 8	145 0	7 3	3 7½	1 9½	0 10½
62.	166 8	20 10	183 4	133 4	146 8	7 4	3 8	1 10	0 11
63.	168 8	21 1	185 4	135 0	148 4	7 5	3 8½	1 10½	0 11½
64.	170 10	21 4½	187 6	136 8	150 0	7 6	3 9	1 10½	0 11½
65.	172 10	21 7½	189 6	138 4	151 8	7 7	3 9½	1 10½	0 11½
66.	175 0	21 10½	191 8	140 0	153 4	7 8	3 10	1 11	0 11½
67.	177 0	22 1½	193 8	141 8	155 0	7 9	3 10½	1 11½	0 11½
68.	179 2	22 4½	195 10	143 4	156 8	7 0	3 11	1 11½	0 11½
69.	181 2	22 7½	197 10	145 0	158 4	7 11	3 11½	1 11½	0 11½
70.	183 4	22 11	200 0	146 8	160 0	8 0	4 0	2 0	1 0

N.B.— By this Table, the Number of Pounds of Bread to be fold as the Price of a and for the Sack of Flour,



BREAD, from the PRICE of WHEAT, and from the PRICE of FLOUR.—*continued.*

## THE ASSIZE TABLE.

No. of Assize and Price.	The Penny Loaf,	The Two-penny Loaf,	The Three-penny Loaf,	The Six-penny Loaf,	The Twelve-penny Loaf,	The Eighteen-penny Loaf,	No.
	To weigh	To weigh	To weigh	To weigh	To weigh	To weigh	
	oz. dr.	lb. oz. dr.	lb. oz. dr.	lb. oz. dr.	lb. oz. dr.	lb. oz. dr.	
41.	4 2	0 8 4	0 12 7	1 8 14	3 1 12	4 10 10	41.
42.	4 1	0 8 2	0 12 4	1 8 8	3 1 0	4 9 9	42.
43.	4 0	0 8 0	0 12 1	1 8 2	3 0 5	4 8 8	43.
44.	3 15	0 7 15	0 11 14	1 7 13	2 15 10	4 7 7	44.
45.	3 14	0 7 13	0 11 11	1 7 7	2 14 15	4 6 7	45.
46.	3 13	0 7 11	0 11 9	1 7 2	2 14 5	4 5 8	46.
47.	3 12	0 7 9	0 11 6	1 6 13	2 13 11	4 4 8	47.
48.	3 12	0 7 8	0 11 4	1 6 8	2 13 1	4 3 9	48.
49.	3 11	0 7 6	0 11 1	1 6 3	2 12 7	4 2 11	49.
50.	3 10	0 7 5	0 10 15	1 5 15	2 11 14	4 1 13	50.
51.	3 9	0 7 3	0 10 13	1 5 10	2 11 5	4 0 15	51.
52.	3 9	0 7 2	0 10 11	1 5 6	2 10 12	4 0 2	52.
53.	3 8	0 7 0	0 10 8	1 5 1	2 10 3	3 15 15	53.
54.	3 7	0 6 15	0 10 6	1 4 13	2 9 11	3 14 9	54.
55.	3 6	0 6 13	0 10 4	1 4 9	2 9 2	3 13 12	55.
56.	3 6	0 6 12	0 10 2	1 4 5	2 8 10	3 13 0	56.
57.	3 5	0 6 11	0 10 0	1 4 1	2 8 3	3 12 4	57.
58.	3 4	0 6 9	0 9 14	1 3 13	2 7 11	3 11 9	58.
59.	3 4	0 6 8	0 9 12	1 3 9	2 7 3	3 10 13	59.
60.	3 3	0 6 7	0 9 11	1 3 6	2 6 12	3 10 2	60.
61.	3 3	0 6 6	0 9 9	1 3 2	2 6 5	3 9 8	61.
62.	3 2	0 6 5	0 9 7	1 2 15	2 5 14	3 8 18	62.
63.	3 1	0 6 3	0 9 5	1 2 11	2 5 7	3 8 3	63.
64.	3 1	0 6 2	0 9 4	1 2 8	2 5 1	3 7 9	64.
65.	3 0	0 6 1	0 9 2	1 2 5	2 4 10	3 6 15	65.
66.	3 0	0 6 0	0 9 1	1 2 2	2 4 4	3 6 6	66.
67.	2 15	0 5 15	0 8 14	1 1 13	2 3 10	3 5 7	67.
68.	2 15	0 5 14	0 8 13	1 1 11	2 3 7	3 5 3	68.
69.	2 14	0 5 13	0 8 12	1 1 8	2 3 1	3 4 10	69.
70.	2 14	0 5 12	0 8 11	1 1 6	2 2 12	3 4 2	70.

Quarter of Wheat, including the Allowance as above, is 434 Pounds Avoirdupois ;  
347 Pounds 8 Ounces.

Schedule, No. 8.—TABLE of the PRICE and ASSIZE of HOUSEHOLD BREAD,

THE PRICE TABLE.									
When the Average Price of WHEAT				When the Average Price of FLOUR		BREAD.			
No.	Is returned at		Total Price, and Baking, per Quarter.	per Sack.	Total Price, and Baking, per Sack.	Price of Peck Loaf. To weigh 17 lb. 6 oz.	Price of Half Peck Loaf. To weigh 8 lb. 11 oz.	Price of Quarter Loaf. To weigh 4 lb. 5 oz. 8 dr.	Price of Half Quarter Loaf. To weigh 2 lb. 2 oz. 12 dr.
	s.	d.							
	per Quarter.	per Bushel.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
1.	38 2	4 9½	56 2	28 4	41 8	2 1	1 0½	0 6½	0 3½
2.	40 6	5 0½	58 4	30 0	43 4	2 2	1 1	0 6½	0 3½
3.	42 8	5 4	60 8	31 8	45 0	2 3	1 1½	0 6½	0 3½
4.	44 10	5 7½	62 10	33 4	46 8	2 4	1 2	0 7	0 3½
5.	47 0	5 10½	65 0	35 0	48 4	2 5	1 2½	0 7½	0 3½
6.	49 4	6 2	67 4	36 8	50 0	2 6	1 3	0 7½	0 3½
7.	51 6	6 5½	69 6	38 4	51 8	2 7	1 3½	0 7½	0 3½
8.	53 8	6 8½	71 8	40 0	53 4	2 8	1 4	0 8	0 4
9.	56 0	7 0	74 0	41 8	55 0	2 9	1 4½	0 8½	0 4½
10.	58 2	7 3½	76 2	43 4	56 8	2 10	1 5	0 8½	0 4½
11.	60 6	7 6½	78 6	45 0	58 4	2 11	1 5½	0 8½	0 4½
12.	62 8	7 10	80 8	46 8	60 0	3 0	1 6	0 9	0 4½
13.	65 0	8 1½	83 0	48 4	61 8	3 1	1 6½	0 9½	0 4½
14.	67 2	8 4½	85 2	50 0	63 4	3 2	1 7	0 9½	0 4½
15.	69 6	8 8½	87 6	51 8	65 0	3 3	1 7½	0 9½	0 4½
16.	71 8	8 11½	89 8	53 4	66 8	3 4	1 8	0 10	0 5
17.	74 0	9 3	92 0	55 0	68 4	3 5	1 8½	0 10½	0 5½
18.	76 2	9 6½	94 2	56 8	70 0	3 6	1 9	0 10½	0 5½
19.	78 6	9 9½	96 6	58 4	71 8	3 7	1 9½	0 10½	0 5½
20.	80 8	10 1	98 8	60 0	73 4	3 8	1 10	0 11	0 5½
21.	83 0	10 4½	101 0	61 8	75 0	3 9	1 10½	0 11½	0 5½
22.	85 4	10 8	103 4	63 4	76 8	3 10	1 11	0 11½	0 5½
23.	87 6	10 11½	105 6	65 0	78 4	3 11	1 11½	0 11½	0 5½
24.	89 8	11 2½	107 8	66 8	80 0	4 0	2 0	1 0	0 6
25.	92 0	11 6	110 0	68 4	81 8	4 1	2 0½	1 0½	0 6½
26.	94 2	11 9½	112 2	70 0	83 4	4 2	2 1	1 0½	0 6½
27.	96 6	12 0½	114 6	71 8	85 0	4 3	2 1½	1 0½	0 6½
28.	98 8	12 4	116 8	73 4	86 8	4 4	2 2	1 1	0 6½
29.	101 0	12 7½	119 0	75 0	88 4	4 5	2 2½	1 1½	0 6½
30.	103 2	12 10½	121 2	76 8	90 0	4 6	2 3	1 1½	0 6½
31.	105 6	13 2½	123 6	78 4	91 8	4 7	2 3½	1 1½	0 6½
32.	107 8	13 5½	125 8	80 0	93 4	4 8	2 4	1 2	0 7
33.	110 0	13 9	128 0	81 8	95 0	4 9	2 4½	1 2½	0 7½
34.	112 2	14 0½	130 2	83 4	96 8	4 10	2 5	1 2½	0 7½
35.	114 6	14 3½	132 6	85 0	98 4	4 11	2 5½	1 2½	0 7½

from the PRICE of WHEAT, and from the PRICE of FLOUR.

THE ASSIZE TABLE.

No. of Affire and Price.	The Penny Loaf,	The Two-penny Loaf,	The Three-penny Loaf,	The Six-penny Loaf,	The Twelve-penny Loaf,	The Eighteen-penny Loaf,	No.
	To weigh	To weigh	To weigh	To weigh	To weigh	To weigh	
1.	oz. dr. 11 1	lb. oz. dr. 1 6 3	lb. oz. dr. 2 1 5	lb. oz. dr. 4 2 11	lb. oz. dr. 8 5 7	lb. oz. dr. 12 8 2	1.
2.	10 11	1 5 6	2 0 7	4 0 2	8 0 4	12 0 7	2.
3.	10 4	1 4 9	1 15 5	3 13 12	7 11 8	11 9 5	3.
4.	9 14	1 3 13	1 13 12	3 11 9	7 7 2	11 2 11	4.
5.	9 9	1 3 2	1 12 12	3 9 8	7 3 0	10 12 8	5.
6.	9 4	1 2 8	1 11 12	3 7 9	6 15 3	10 6 12	6.
7.	8 15	1 1 14	1 10 14	3 5 12	6 11 9	10 1 6	7.
8.	8 11	1 1 6	1 10 1	3 4 2	6 8 4	9 12 6	8.
9.	8 6	1 0 13	1 9 4	3 2 8	6 5 1	9 7 10	9.
10.	8 2	1 0 5	1 8 8	3 1 0	6 2 1	9 3 2	10.
11.	7 15	0 15 14	1 7 13	2 15 10	5 15 5	8 14 15	11.
12.	7 11	0 15 7	1 7 2	2 14 5	5 12 10	8 11 0	12.
13.	7 8	0 15 0	1 6 8	2 13 1	5 10 2	8 7 3	13.
14.	7 5	0 14 10	1 5 15	2 11 14	5 7 12	8 3 10	14.
15.	7 2	0 14 4	1 5 6	2 10 12	5 5 8	8 0 4	15.
16.	6 15	0 13 14	1 4 13	2 9 11	5 3 6	7 13 1	16.
17.	6 12	0 13 8	1 4 5	2 8 10	5 1 5	7 10 0	17.
18.	6 9	0 13 3	1 3 13	2 7 11	4 15 6	7 7 2	18.
19.	6 7	0 12 14	1 3 6	2 6 12	4 13 9	7 4 5	19.
20.	6 5	0 12 10	1 2 15	2 5 14	4 11 13	7 1 11	20.
21.	6 2	0 12 5	1 2 8	2 5 1	4 10 2	6 15 3	21.
22.	6 0	0 12 1	1 2 2	2 4 4	4 8 8	6 12 12	22.
23.	5 14	0 11 13	1 1 11	2 3 7	4 6 15	6 10 7	23.
24.	5 12	0 11 9	1 1 6	2 2 12	4 5 8	6 8 4	24.
25.	5 10	0 11 5	1 1 0	2 2 0	4 4 1	6 6 1	25.
26.	5 8	0 11 1	1 0 10	2 1 5	4 2 11	6 4 1	26.
27.	5 7	0 10 14	1 0 5	2 0 11	4 1 6	6 2 1	27.
28.	5 5	0 10 11	1 0 0	2 0 1	4 0 2	6 0 3	28.
29.	5 3	0 10 7	0 15 11	1 15 7	3 14 15	5 14 6	29.
30.	5 2	0 10 4	0 15 7	1 14 14	3 13 12	5 12 10	30.
31.	5 0	0 10 1	0 15 2	1 14 5	3 12 10	5 10 15	31.
32.	4 15	0 9 14	0 14 14	1 13 13	3 11 11	5 9 8	32.
33.	4 14	0 9 12	0 14 10	1 13 4	3 10 8	5 7 12	33.
34.	4 12	0 9 9	0 14 6	1 12 12	3 9 8	5 6 4	34.
35.	4 11	0 9 6	0 14 2	1 12 4	3 8 9	5 4 3	35.

(continues)

Schedule No. 8.—TABLE of the PRICE and ASSIZE of HOUSEHOLD BREAD

THE PRICE TABLE.									
When the Average Price of WHEAT					When the Average Price of FLOUR		BREAD.		
Is returned at			Add for Grinding, Baking, &c. 18s. per Quarter, or 8d. per Peck Loaf.	OR	Is returned at				
No.	per Quarter.	per Buhel.			Total Price, and Baking, per Quarter.	per Sack.	Total Price, and Baking, per Sack.	Price of Peck Loaf. To weigh 17 lb. 6 oz.	Price of Half Peck Loaf. To weigh 8 lb. 11 oz.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
86.	116 8	14 7	134 8	86 8	100 0	5 0	2 6	1 3	0 7½
37.	119 0	14 10½	137 0	88 4	101 8	5 1	2 6½	1 3½	0 7½
38.	121 2	15 1½	139 2	90 0	103 4	5 2	2 7	1 3½	0 7½
39.	123 6	15 5½	141 6	91 8	105 0	5 3	2 7½	1 3½	0 7½
40.	125 8	15 8½	143 8	93 4	106 8	5 4	2 8	1 4	0 8
41.	128 0	16 0	146 0	95 0	108 4	5 5	2 8½	1 4½	0 8½
42.	130 2	16 3½	148 2	96 8	110 0	5 6	2 9	1 4½	0 8½
43.	132 4	16 6½	150 4	98 4	111 8	5 7	2 9½	1 4½	0 8½
44.	134 8	16 10	152 8	100 0	113 4	5 8	2 10	1 5	0 8½
45.	136 8	17 1	154 8	101 8	115 0	5 9	2 10½	1 5½	0 8½
46.	139 0	17 4½	157 0	103 4	116 8	5 10	2 11	1 5½	0 8½
47.	141 2	17 7½	159 2	105 0	118 4	5 11	2 11½	1 5½	0 8½
48.	143 6	17 11½	161 6	106 8	120 0	6 0	3 0	1 6	0 9
49.	145 8	18 2½	163 8	108 4	121 8	6 1	3 0½	1 6½	0 9½
50.	148 0	18 6	166 0	110 0	123 4	6 2	3 1	1 6½	0 9½
51.	150 4	18 9½	168 4	111 8	125 0	6 3	3 1½	1 6½	0 9½
52.	152 8	19 1	170 8	113 4	126 8	6 4	3 2	1 7	0 9½
53.	154 8	19 4	172 8	115 0	128 4	6 5	3 2½	1 7½	0 9½
54.	157 0	19 7½	175 0	116 8	130 0	6 6	3 3	1 7½	0 9½
55.	159 2	19 10½	177 2	118 4	131 8	6 7	3 3½	1 7½	0 9½
56.	161 6	20 2½	179 6	120 0	133 4	6 8	3 4	1 8	0 10
57.	163 8	20 5½	181 8	121 8	135 0	6 9	3 4½	1 8½	0 10½
58.	166 0	20 9	184 0	123 4	136 8	6 10	3 5	1 8½	0 10½
59.	168 4	21 0½	186 4	125 0	138 4	6 11	3 5½	1 8½	0 10½
60.	170 8	21 4	188 8	126 8	140 0	7 0	3 6	1 9	0 10½
61.	173 0	21 7½	191 0	128 4	141 8	7 1	3 6½	1 9½	0 10½
62.	175 2	21 10½	193 2	130 0	143 4	7 2	3 7	1 9½	0 10½
63.	177 6	22 2½	195 6	131 8	145 0	7 3	3 7½	1 9½	0 10½
64.	179 8	22 5½	197 8	133 4	146 8	7 4	3 8	1 10	0 10½
65.	182 0	22 9	200 0	135 0	148 4	7 5	3 8½	1 10½	0 10½

N. B.—By this Table the Number of Pounds of Bread to be fold as the Price of a Quarter of Wheat,

from the PRICE of WHEAT, and from the PRICE of FLOUR—continued.

## THE ASSIZE TABLE.

No. of Ailise and Price.	The Penny Loaf,	The Two-penny Loaf,	The Three-penny Loaf,	The Six-penny Loaf,	The Twelve-penny Loaf,	The Eighteen-penny Loaf,	No.
	To weigh	To weigh	To weigh	To weigh	To weigh	To weigh	
	<i>oz. dr.</i>	<i>lb. oz. dr.</i>	<i>lb. oz. dr.</i>	<i>lb. oz. dr.</i>	<i>lb. oz. dr.</i>	<i>lb. oz. dr.</i>	
36.	4 10	0 9 4	0 13 14	1 11 12	3 7 9	5 3 6	36
37.	4 8	0 9 1	0 13 10	1 11 5	3 6 11	5 2 0	37.
38.	4 7	0 8 15	0 13 7	1 10 14	3 5 12	5 0 11	38.
39.	4 6	0 8 13	0 13 3	1 10 7	3 4 15	4 15 6	39
40.	4 5	0 8 11	0 13 0	1 10 1	3 4 2	4 14 3	40.
41.	4 4	0 8 8	0 12 13	1 9 10	3 8 5	4 12 15	41.
42.	4 3	0 8 6	0 12 10	1 9 4	3 2 8	4 11 13	42.
43.	4 2	0 8 4	0 12 7	1 8 14	3 1 12	4 10 10	43.
44.	4 1	0 8 2	0 12 4	1 8 8	3 1 0	4 9 9	44.
45.	4 0	0 8 0	0 12 1	1 8 2	3 0 5	4 8 8	45.
46.	3 15	0 7 15	0 11 14	1 7 13	2 15 10	4 7 7	46.
47.	3 14	0 7 13	0 11 11	1 7 7	2 14 15	4 6 7	47.
48.	3 13	0 7 11	0 11 9	1 7 2	2 14 5	4 5 8	48.
49.	3 12	0 7 9	0 11 6	1 6 13	2 13 11	4 4 8	49.
50.	3 12	0 7 8	0 11 4	1 6 8	2 13 1	4 3 9	50.
51.	3 11	0 7 6	0 11 1	1 6 3	2 12 7	4 2 11	51.
52.	3 10	0 7 5	0 10 15	1 5 15	2 11 14	4 1 13	52.
53.	3 9	0 7 3	0 10 13	1 5 10	2 11 5	4 0 15	53.
54.	3 9	0 7 2	0 10 11	1 5 6	2 10 12	4 0 2	54.
55.	3 8	0 7 0	0 10 8	1 5 1	2 10 3	3 15 15	55.
56.	3 7	0 6 15	0 10 6	1 4 13	2 9 11	3 14 9	56.
57.	3 6	0 6 13	0 10 4	1 4 9	2 9 2	3 13 12	57.
58.	3 6	0 6 12	0 10 2	1 4 5	2 8 10	3 13 0	58.
59.	3 5	0 6 11	0 10 0	1 4 1	2 8 3	3 12 4	59.
60.	3 4	0 6 9	0 9 14	1 3 13	2 7 11	3 11 9	60.
61.	3 4	0 6 8	0 9 12	1 3 9	2 7 3	3 10 13	61.
62.	3 3	0 6 7	0 9 11	1 3 6	2 6 12	3 10 2	62.
63.	3 3	0 6 6	0 9 9	1 3 2	2 6 5	3 9 8	63.
64.	3 2	0 6 5	0 9 7	1 2 15	2 5 14	3 8 13	64.
65.	3 1	0 6 3	0 9 5	1 2 11	2 5 7	3 8 3	65.

including the Allowance as above, is 468lbs. Avoirdupois, and for the Sack of Flour 347lbs. 8oz.

## C A P. CXVII.

An Act to prevent Damage to certain Bridges in *Scotland* from the Floating of Timber. [10th July 1813.]

‘ W H E R E A S from the Floating of Timber upon certain Rivers in *Scotland*, in separate Trees, Logs or Spars, without any Person or Persons to conduct the same, Damage has been occasioned to Bridges in *Scotland* while the same are erecting or under Repair, and it is expedient to prevent 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, from and after the passing of this Act, no Timber, Trees, Logs, Deals or Spars shall be floated through any Arch, or between the Piers of any Bridge begun to be erected over any River in *Scotland*, nor through any Arch nor between the Piers of any Bridge whatever in *Scotland*, between the Fifteenth Day of *March* and the First Day of *November*, when the same shall be under such Repair that a Timber Frame or Centering for the temporary Support of the Bridge is in Use, Notice thereof being given by and under the Authority and Direction of the Sheriff or Stewart Depute or Substitute of the County or Stewartry in which such Bridge shall be situated in manner hereinafter mentioned; nor shall any Timber, Trees, Logs, Deals or Spars be suffered to approach within One thousand Yards of the same, unless such Timber, Trees, Logs, Deals or Spars, shall be fastened together as a Raft or Rafts, or, being fastened together as a Raft or Rafts, unless there shall be a Person to manage and conduct the same; nor shall more than One Raft at the same time be suffered to pass through any Arch, or between the Piers of any such Bridge begun to be erected or under Repair as aforesaid: And if any Owner or Owners of any Timber, Trees, Logs, Deals or Spars, shall suffer the same to pass through any Arch, or between the Piers of any Bridge begun to be erected in *Scotland*, or when so under Repair, or to approach within One thousand Yards of the same, unless such Timber, Trees, Logs, Deals or Spars, shall be fastened together as a Raft or Rafts, or, being fastened together as a Raft or Rafts, unless there shall be a Person to manage and conduct the same; or shall suffer more than One Raft to pass through any Arch, or between the Piers, of any such Bridge, at the same time; every such Owner or Owners, besides being liable for any Damage to be occasioned by any such Timber, Trees, Logs, Deals or Spars, or such Raft or Rafts, shall forfeit the Sum of Five Pounds Sterling for each Offence; to be recovered to the Use of the Person or Persons suing for the same before any One or more of His Majesty’s Justices of the Peace of the County or Stewartry where the Offence shall be committed, or where the Offender or Offenders shall be or reside: Provided always, that previous Notice pursuant to an Order to that Effect, to be made by the Sheriff or Stewart Depute of the County or Stewartry in which such Bridge or any Part thereof shall be situated (which Order the said Sheriff or Stewart is hereby required to make upon the Application of any Person or Persons undertaking to build or repair such Bridge), shall have been given by

No Trees to be floated through Arches of Bridge, unless in Rafts, and with a Conductor.

Penalty.

Notice of Erection or Repair of Bridges.

Advertisement in some Newspaper of the County or Stewartry in which such Bridge shall be situated, and if no Newspaper shall be printed in such County or Stewartry then in some Newspaper printed in the nearest adjoining County or Stewartry, and also by a Written or Printed Paper affixed upon the Door of each Parish Church of every Parish through which the River shall pass, situated above such Bridge, specifying the time during which the Erection or Repair of such Bridge will require a Timber Frame or Centering as aforesaid, during which time no Timber, Trees, Logs, Deals or Spars shall be floated through any Arch or between the Piers of such Bridge, or be suffered to approach within One thousand Yards of the same, unless such Timber, Trees, Logs or Spars shall be fastened together as a Raft, and unless there shall be a Person to manage and conduct the same as aforesaid.

II. And be it further enacted, That if any Timber, Trees, Logs, Deals or Spars shall be found floating at or resting on the Water against any Bridge begun to be erected over any River in *Scotland*, or when so under Repair, or within One thousand Yards of the same, unless such Timber, Trees, Logs, Deals or Spars shall be joined together in a Raft or Rafts, or, being joined together in a Raft or Rafts, unless there shall be a Person or Persons therewith to manage and conduct the same; or if more than One Raft shall be suffered to pass through any Arch, or between the Piers, of any such Bridge at the same time, it shall and may be lawful for any Person or Persons concerned or employed in the building or repairing of such Bridge, or any Person or Persons under their Direction, to seize and detain such Timber, Trees, Logs, Deals or Spars, or such Raft or Rafts, in the cases aforesaid, until the said Penalty shall be paid; for which Purpose an Application shall forthwith be made to some One of His Majesty's Justices of the Peace for the County or Stewartry where such Detention shall take place, who shall thereupon direct such Timber, Trees, Logs, Deals or Spars, to be restored to the Owner or Owners thereof within Fourteen Days, unless such Justice shall deem the said Penalty to have been incurred; and if such Penalty shall not be paid within the Space of Fourteen Days after such Detention, it shall be lawful for such Person or Persons to apply to any Justice of the Peace of the County or Stewartry where such Detention shall take place, who shall issue his Warrant to appraise and sell such Timber, Trees, Logs, Deals or Spars, or such Raft or Rafts so seized and detained in the cases aforesaid, by public Auction at the Place where such Timber, Trees, Logs, Deals or Spars, or such Raft or Rafts, in the cases aforesaid, shall have been detained, rendering the Overplus of the Price, if any, upon Demand, to the Owner or Owners thereof, after deducting the said Penalty and the reasonable Charges attending such Detention and Distress and Sale.

Trees may be detained until Payment of Penalty.

III. And be it further enacted, That if any Person or Persons shall hinder, obstruct or prevent any Person or Persons from seizing or detaining any such Timber, Trees, Logs, Deals or Spars, or any such Raft or Rafts, in the cases aforesaid, every such Person or Persons upon being lawfully convicted thereof, shall forfeit a Sum not exceeding Ten Pounds Sterling to the Use of the Person or Persons suing for the same; to be recovered by a summary Application to any Justice of the Peace of the County or Stewartry where the Offence shall be committed, or where the Offender shall be or reside, and to

Hindering the Detention.

Penalty.

be levied by Distress and Sale of the Offender's Goods and Effects, by Warrant under the Hand of any such Justice; and if sufficient Distress cannot be found, and the said Penalty shall not be forthwith paid, it shall and may be lawful for any such Justice to commit the Offender or Offenders to the Common Gaol, there to remain for any time not exceeding Three Calendar Months, unless the said Penalty with reasonable Charges shall be sooner paid.

Imprisonment.

Damages how recovered.

IV. And be it enacted, That where any Damage whatever shall be occasioned to any Bridge whatever in *Scotland* by the floating or resting of Timber as aforesaid, it shall and may be lawful for the Procurator Fiscal for the County or Stewartry wherein such Bridge shall be situated, to sue for and recover the Amount of such Damage, by all lawful ways and means whatsoever, to the Use of the Person or Persons by whom such Damage shall have been suffered, or for the Purpose of replacing the Amount of the Sum or Sums of Money expended in repairing such Damage; and in every case where Damages shall be recovered, there shall be awarded to such Procurator Fiscal Double Costs of Suit or Expences of Process.

Double Costs.

#### C A P. CXVIII.

An Act for raising the Sum of Five millions six hundred and seventy thousand and seven hundred Pounds by Exchequer Bills, for the Service of *Great Britain*, for the Year One thousand eight hundred and thirteen. [10th July 1813.]

“ TREASURY empowered to raise 5,670,700l. by Exchequer Bills, in manner prescribed by 48 G. 3. c. 1.—§ 1, 2. Treasury to apply the Money raised. § 3. Principal of said Bills charged on first Supplies of next Session. § 4. Interest thereon of  $3\frac{1}{2}$ d per Cent. per Diem. § 5. Said Bills to be current at the Exchequer after April 5, 1814. § 6. Bank of *England* empowered to advance 5,670,700l. on Credit of Act notwithstanding 5 & 6 W & M. c. 20.—§ 7.

#### C A P. CXIX.

An Act for raising the Sum of One Million by Exchequer Bills, for the Service of *Great Britain*, for the Year One thousand eight hundred and thirteen. [10th July 1813.]

“ TREASURY empowered to raise 1,000,000l. by Exchequer Bills, in manner prescribed by 48 G. 3. c. 1.—§ 1, 2. Treasury to apply the Money raised. § 3. Principal of said Bills charged on first Supplies of next Session. § 4. Interest thereon of  $3\frac{1}{2}$ d. per Cent. per Diem. § 5. Said Bills to be current at the Exchequer after April 5, 1814. § 6. Bank of *England* empowered to advance 1,000,000l. on Credit of Act, notwithstanding 5 & 6 W. & M. c. 20.—§ 7.

C A P.



## C A P. CXX.

An Act to enable the Lords of the Treasury of *Ireland* to issue to the Commissioners for the Reduction of the National Debt, a Sum equal to One *per Centum* on the Amount of Treasury Bills outstanding in every Year. [10th July 1813.]

WHEREAS it is expedient to make further Provision for the Reduction of the National Debt of *Ireland*, in Proportion to the Amount of Treasury Bills outstanding and unpaid on the Fifth Day of *January* One thousand eight hundred and thirteen, and on the Fifth Day of *January* in every succeeding Year; 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 at the End of every Quarter of a Year ending on the Twenty ninth Day of *September*, the Twenty fifth Day of *December*, the Twenty fifth Day of *March* and the Twenty fourth Day of *June*, after the passing of this Act, there shall be issued to the Governor and Company of the Bank of *Ireland*, at the Receipt of His Majesty's Exchequer of *Ireland*, out of the Consolidated Fund of *Ireland*, over and above all such Sum and Sums of Money as by any Act or Acts made before the passing of this Act have been directed to be issued and placed to the Account of the Commissioners for the Reduction of the National Debt of *Ireland*, under an Act made in the Parliament of *Ireland*, in the Thirty seventh Year of His present Majesty's Reign, intituled *An Act for vesting a certain Fund in Commissioners at the End of every Quarter of a Year, to be by them applied to the Reduction of the National Debt, and to direct the Application of additional Funds in case of Future Loans to the like Purpose*, an additional Sum of Money to be placed by the said Governor and Company of the Bank of *Ireland* to the Account of the said Commissioners for Reduction of the National Debt, the Annual Amount whereof shall be equal to One hundredth Part of the Amount of such Treasury Bills as shall be outstanding and unpaid on the Fifth Day of *January* in the Year One thousand eight hundred and thirteen, and on the Fifth Day of *January* in every succeeding Year; and such additional Sum shall be placed in the Name of the said Commissioners to the Account of this Act, as if the same had been issued on Account of a separate new Loan, and shall be applied by the said Commissioners in the Reduction of the said National Debt of *Ireland*, in such and the like manner as is directed by the said recited Act of the Thirty seventh Year aforesaid, with respect to any Sum or Sums to be placed in their Names under and by virtue of the said recited Act to the Account of any new Loan.

II. And be it further enacted, That, after the passing of this Act, and before the Twenty ninth Day of *September* One thousand eight hundred and thirteen, there shall be issued and paid to the Governor and Company of the Bank of *Ireland*, at the Receipt of the said Exchequer of *Ireland*, out of the Consolidated Fund of *Ireland*, to be by the said Governor and Company placed to the Account of the said Commissioners for the Reduction of the National Debt of *Ireland*, such Sum of Money as shall be equal to Two Quarters of the Annual Amount aforesaid, upon such Treasury Bills as were out-

A Sum equal to One per Cent. on Amount of Treasury Bills outstanding applied in Reduction of National Debt of *Ireland*: 37 G. 3. (1), c. 27.

Two Quarters of Annual Amount of such Sum applied before Sept. 29, 1813.

standing and unpaid on the said Fifth Day of *January* One thousand eight hundred and thirteen, and such Sum shall be applied by the said Commissioners for the Reduction of the National Debt, in like manner as is hereinbefore directed with respect to any other Sum to be placed to their Account under and by virtue of this A&.

## C A P. CXXI.

An A& for making a more convenient Communication from *Mary le bone* Park and the Northern Parts of the Metropolis, in the Parish of *Saint Mary le bone*, to *Charing Cross* within the Liberty of *Westminster*; and for making a more convenient Sewage for the same. [10th July 1813.]

WHEREAS it would be of great Accommodation to the Public, and be the means of opening a more easy and ready Communication from *Mary le bone* Park and from the Northern Parts of the Metropolis, in the Parish of *Saint Mary le bone*, to *Charing Cross* within the Liberty of *Westminster*, if a new Street were opened and made from a certain Spot in *Pall Mall* at or near *Saint Alban's Street*, to the South End of *Mary le bone* Park, in the said Parish of *Saint Mary le bone*, to run at right Angles with *Pall Mall* into *Piccadilly*, and from thence in a Northerly Direction to the South End of *Mary le bone* Park aforesaid; and if Provisions were made for widening the East End of *Pall Mall*, and for continuing the same Eastward by a new Street into *Saint Martin's Lane* terminating at the Portico of *Saint Martin's Church*; and for widening *Cockspur Street* from the South End of the *Haymarket* to *Charing Cross*; and for forming an open Square in the King's *Mews* opposite *Charing Cross*; and for continuing *Charles Street* *Saint James's Square*, from the East End thereof, into the *Haymarket*; and also for diverting, altering, widening and improving such Parts of the present Streets as will form Entrances into such new Streets, or into the Streets, Squares and Places connected therewith; all which several Streets and Places, so to be made, altered, diverted or improved, are or will be situate in the several Parishes of *Saint James Westminster*, *Saint Martin's in the Fields*, *Saint Mary le bone* and *Saint George Hanover Square*, in the County of *Middlesex*: But as such Improvements cannot be effected without the Aid and Authority of Parliament: 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 the Commissioners for the time being of His Majesty's Woods, Forests and Land Revenues, shall be and they are hereby appointed Commissioners for carrying the Purposes of this A& into Execution; and all A&s, Matters and Things, authorized or necessary to be done and executed by the said Commissioners in pursuance of this A&, may be done and executed by any Two of them, and the same shall be as valid and effectual, and shall have the same force and effect as if such A&s, Matters and Things, had been done and executed by all the said Commissioners.

Appointment of Commissioners.

39 G. 3. c. lxxiv.

II. And whereas by an A& passed in the Thirty ninth Year of the Reign of His present Majesty, intituled *An A& for making a*  
new

‘ new Street from the Haymarket into Charles Street, Saint James’s Square within the City and Liberty of Westminster, certain Powers and Authorities were given to William Taylor, his Heirs and Assigns, for making a new Street from the Haymarket in the City of Westminster, into Charles Street and Saint James’s Square, commencing on the North Side of such new intended Street, at a certain Public House known by the Name of the Sign of *The Rose and Crown*, in the said Street called *The Haymarket*, then in the Occupation of Richard Pember, to be carried in as direct a Line as conveniently might be to the said Street called *Charles Street Saint James’s Square*, to a House or Tenement in a certain Street called *Market Lane*, then in the Occupation of *William Bilton*, and of the Breadth of Fifty five Feet, for the Purpose of making an easy and commodious Access to the Theatre called *The King’s Theatre*: And whereas all the Powers and Authorities which were given to or vested in the said *William Taylor* by the said Act have devolved upon and are now become vested in the Lords Commissioners of His Majesty’s Treasury, by virtue of a Proviso contained in the said Act: And whereas certain of the Streets, Squares and Places to be made, altered and improved by virtue of this Act, are to be set out on the Scite of the several Premises so described in the said recited Act, or on some Part or Parts thereof;’ Be it therefore enacted, That it shall and may be lawful to and for the said Commissioners for executing this Act, to carry the several Purposes of this Act into Execution in such and the like manner in all respects as if the several Powers, Authorities and Provisions in respect to the said several Premises so described in the said recited Act had been repealed.

Not to interfere with the Commissioners acting under Act.

‘ III. And whereas a Map or Plan describing the Lines of the Streets, Squares, Circusses, Ways, Passages and Places, and the Land and Premises through which the proposed Alterations and Improvements are to be made or carried by virtue of this Act, together with a Book of Reference containing a List of the Names of the Owners and Occupiers of such Lands and Premises, have been made for the Purpose of being deposited at the Office of the Commissioners of His Majesty’s Woods, Forests and Land Revenues;’ Be it therefore enacted, That the said Map or Plan and Book of Reference, after the same shall have been authenticated by the Signature of the Right Honourable the Speaker of the House of Commons, shall be deposited with, and shall remain in the Custody of the said Commissioners of His Majesty’s Woods, Forests and Land Revenues, and One Copy thereof signed by the Speaker of the House of Commons, shall be deposited in the Parliament Office, and One other Copy so signed shall be deposited with the Clerk of the Peace of the County of *Middlesex*, within Three Months from the passing of this Act, to the end that all Persons may at all reasonable times have Liberty to inspect and peruse the same, and to take Extracts or Copies thereof at their Will and Pleasure, paying the Sum of One Shilling for every such Inspection, and at the Rate of Six pence for every One hundred Words of such Copies or Extracts of the said Map or Plan and Book of Reference; and that the said Commissioners for executing this Act, in making the said Alterations and Improvements, shall not deviate between *Piccadilly* and *Oxford Street* more than Twenty Yards, nor in any other Place

Streets, &c made according to Map or Plan deposited at Office of Commissioners of Woods, Forests, &c.

Fees.

more than Ten Yards, of Three Feet each, from the Lines described in the said Map or Plan, without the Consent and Approbation in Writing of the Person or Persons, Bodies Politic, Corporate or Collegiate, through whose Lands or Premises such Deviation shall be made.

No Deviation unless with Consent.

IV. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to make any such Deviation in any case in which any Agreement in relation to the Line of the said Street shall have been made by or on Behalf of the said Commissioners, with any Person or Persons interested in any Houses or Premises within the Limits of the said Map or Plan, unless with the Consent in Writing of such Person or Persons.

Lands and Premises marked in Plan, used, notwithstanding Errors in Book of Reference.

V. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners for executing this Act, to make the said proposed Alterations and Improvements into, through, across or over the several Lands, Hereditaments or Premises of any Person or Persons who is or are or may be Owner or Owners of the Land, or Premises over which the same is or are set out and described in the said Map or Plan as aforesaid, although the Name or Names of such Person or Persons may happen to be omitted or mistated in the said Book of Reference, in case it shall appear to any Two or more Justices of the Peace for the said County of *Midsex*, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Appointment of Officers.

VI. And be it further enacted, That the said Commissioners for executing this Act shall and may, and they are hereby empowered from time to time to appoint a Secretary, Clerk or Clerks, and also such Officers and other Persons as they shall deem necessary to employ in the Execution of this Act, and may from time to time remove such Secretary, Clerks, Officers and other Persons, or any of them, and appoint others in their Stead; and also shall and may, out of the Monies to be raised by virtue of this Act, allow to such Secretary, Clerks and other Officers, and such other Person and Persons as shall be assisting in or about the Execution of this Act, such Salaries or Allowances as to them the said Commissioners shall seem meet: Provided always, that the said Commissioners shall and may take such Security from any Officer or other Person to be appointed by virtue of this Act, for the due and faithful Execution of his Office, as they the said Commissioners shall think fit.

Security.

Proceedings entered in Books.

VII. And be it further enacted, That all Orders and Proceedings of the said Commissioners for executing this Act shall be entered in a Book or Books to be kept for that Purpose; and such Orders and Proceedings so entered, and signed by the said Commissioners, shall be deemed to be Originals; and which said Book or Books shall be admitted as Evidence in all Courts whatsoever.

Commissioners empowered to make Streets, &c. and to stop up Ways, &c. whilst same are making.

VIII. And be it further enacted, That it shall be lawful for the said Commissioners for executing this Act, and they are hereby authorized and empowered, by and with the Consent and Approbation in Writing of the Lord High Treasurer of *Great Britain*, or of the Commissioners for executing the Office of Lord High Treasurer, or any Three or more of them, to cause the said Streets, Squares, Circusses, Ways, Passages and Places to be made, widened, altered, stopped up, repaired, paved and improved, into, through, across or over the several Lands and Premises described in such Map or Plan

Plan and Book of Reference, and in conformity to the Lines described in such Map or Plan, and to such Deviation therefrom as herein mentioned; and for such Purposes, it shall be lawful for the said Commissioners acting in the Execution of this Act, and for their Surveyor or Surveyors, Officers or Workmen, with or without Carriages and Cattle, from time to time, to enter upon the Lands and Premises through which or whereupon the said Streets, Squares, Circusses, Ways, Passages and Places, Alterations or Improvements hereby authorized to be made, is or are intended to pass or be made, in such manner as the said Commissioners acting in the Execution of this Act shall think necessary or proper, without being deemed a Trespasser or Trespassers, and without being subject or liable to any Fine, Penalty or Punishment, for entering or continuing upon any Part or Parts of such Lands and Premises, for the Damages that shall be thereby occasioned; and the said Commissioners acting in the Execution of this Act shall and they are hereby authorized and empowered, during the making of the said Alterations or Improvements, to stop up all or any Part of the Carriage Ways of the said Streets and other Places, and for that Purpose to put up sufficient Palisadoes, Bars, Posts or other Erections, and to make such Orders regulating the Passage of all Carts, Carriages and Horses through the same, as to them the said Commissioners shall seem fit and proper; and that the sole Power and Authority of paving, repairing, cleansing, lighting and watching all the Streets, new Ways and Places which shall be made, or which shall be in any manner altered by virtue of this Act, shall, when the same shall be so made or altered, be vested in, and such Streets, Ways or Passages, for all the Purposes of paving, repairing, cleansing, lighting and watching the same, shall be, remain and continue under the Care, Management and Controul and Jurisdiction of the same Commissioners, Trustees or other Persons, as the Streets, Ways or Places, in lieu of which such new Streets, Ways or Places shall be made or altered respectively, now are or would have been if this present Act had not been passed.

IX. Provided always, and be it further enacted, That no Street, not designed by this Plan to be ultimately stopped up, shall be at any time wholly stopped up, but that sufficient Room shall be at all times left for the free Passage of Carts, Carriages, Cattle and Foot Passengers.

Stopping up of Streets.

X. Provided always, and be it enacted by the Authority aforesaid, That among other Openings into the said intended New Street there shall be a public Carriage Way of at least Forty Feet wide, opening into the same, from the lower Part or *Mary le bone Street*, nearly opposite to *Sherrard Street*, and an open Court or Footway on the Ground Floor, of at least Ten Feet wide each, communicating from the circular Part of the same Street to *Vine Street*, and which Court may be covered by Buildings to the Depth of Twenty Feet from the Front thereof; and that such Carriage Way, Open Court or Footway, shall for ever after remain and continue open for the Use of the Public; any thing hereinbefore or in the said Map or Plan contained to the contrary thereof in any wise notwithstanding.

Openings into new Streets.

XI. And be it further enacted, That nothing herein contained shall extend or be construed to extend to authorize the said Commissioners in any manner to stop up the present Carriage Entrance

Private Mewles and Stable Yards not to be stopped up.

into a certain Mews or Yard on the West Side of *Swallow Street* running to the Backs of the Houses on the North Side of *New Burlington Street*, called *Old Burlington Mews* or *Crown Yard*, or a certain other Mews or Yard in the same Street running to the Backs of Houses on the South Side of *New Burlington Street* aforesaid, called *New Burlington Mews*, otherwise *Paviors Arms Yard*; but the said several Carriage Entrances and Avenues shall be allowed to remain, in all respects whatsoever, as convenient to the Owners, Leaseholders and Occupiers of the same as they now are.

Air Street not  
stopped up.

XII. Provided always, and be it further enacted, That nothing herein or in the said Plan or Book of Reference contained, shall extend or be construed in any manner to extend to authorize the said Commissioners to stop up *Air Street* at either End.

Encroachments  
upon King  
Street Chapel.

XIII. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend to enable the said Commissioners for executing this Act to pull down, take or use for the Purposes of this Act, any Part of the Chapel situate in *King Street*, near *Golden Square* in the said Parish of *Saint James*, or the Vestry Room, School Room, or paved Passage leading out of *Chapel Court* thereto, on the West Front thereof; but that the same and every Part thereof shall remain for the Purposes to which they are now applied; and also, that a Piece of Ground shall be left on the North Side of the said School Room Seven Feet broad, for the Purpose of a Yard to the same, the said Piece of Ground so left to be of the same Length from East to West as the School Room now is; and that the said Commissioners shall make good all Damage whatsoever that shall or may be done to the said Chapel, Vestry Room, and other the Erections and Buildings belonging to the said Chapel; and that no Houses or other Erections or Buildings shall be erected and built adjacent to the said Chapel, which shall in any manner obstruct or darken any of the ancient Lights thereof.

Commissioners  
empowered to  
purchase Lands  
and Buildings,  
&c.

XIV. And be it further enacted, That, for the Purpose of making, widening, improving and rendering more commodious the said Streets, Squares, Circusses, Ways, Passages and Places, it shall be lawful for the said Commissioners acting in the Execution of this Act, and they are hereby authorized and empowered, when they shall deem it necessary, by and with the Consent and Approbation in Writing of the said Lord High Treasurer or of the said Commissioners for executing the said Office of Lord High Treasurer, or any Three or more of them, to treat and agree for the Purchase of any of the Houses, Buildings, Erections, Ground, Tenements and Hereditaments described or comprised in the said Map or Plan, and Book of Reference, or in such Deviation as hereinbefore mentioned, and of any subsisting Leases, Terms, Estates and Interests therein, which the said Commissioners for executing this Act may, by and with such Consent and Approbation as aforesaid, deem necessary or expedient to be purchased for the Purposes of this Act; Provided always, that the said Commissioners shall not be compelled to purchase the whole of the Space coloured on the said Plan, as being within the Powers of Purchase limited by this Act.

Time for pur-  
chasing Houses,  
&c. limited.

XV. And be it further enacted, That the said Commissioners shall and they are hereby required, within the Space of Three Years from the passing of this Act, to cause Notices in Writing under their Hands, or the Hands of any Two of them for the time being, to be given

given to the Owners, Proprietors, Occupiers, Corporations, Trustees or any other Person or Persons interested in all such of the Houses, Buildings, Erections, Ground, Tenements and Hereditaments described or comprised in the said Map or Plan, and Book of Reference, or in the Deviation hereinbefore mentioned, as shall be wanted or required for the Purposes of this Act, of their Intention to purchase the same, and all subsisting Leases, Terms, Estates and Interests therein; and the said Commissioners shall and they are hereby required, within the Space of Four Years from the Expiration of the time so allowed for giving such Notices, to purchase or cause to be valued, as hereinafter mentioned, all and every such Houses, Buildings, Erections, Ground, Tenements and Hereditaments mentioned or described in such Notices respectively, and pay the Consideration Money, or Money awarded for the same respectively, in manner directed by this Act.

XVI. And be it further enacted, That no Occupier of any House, Building, Tenement or Ground, shall be liable to be removed from the Possession thereof, by virtue of this Act, or any thing herein contained, until the Expiration of Six Calendar Months after Notice in Writing shall have been given by the said Commissioners for executing this Act, or some Person by them for that Purpose authorized, unto such Occupier, or left at or upon the said Premises, that such House, Building, Tenement or Ground will be wanted for the Purposes of this Act; provided nevertheless, that the Want of such Notice shall not delay or retard the Execution of this Act in any respect, save only as to the taking or obtaining the actual Possession of any such House, Building or Land, and the Removal of the Occupiers or Inhabitants thereof from or out of the same.

XVII. And whereas it would be a further Accommodation to the Public, and a considerable Improvement, if the lower Part of *Swallow Street* were widened, and if a new Street were formed, extending from the said intended new Street into *Great Marlborough Street*; Be it therefore enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby empowered, when and so soon as they shall think it expedient so to do, to alter, widen and improve the said Street called *Swallow Street*, from *Piccadilly* to *Leicester Street*, and to form a new Street from the said intended new Street to *Great Marlborough Street*; and for those Purposes the said Commissioners are hereby invested with all and every the same Powers and Authorities, to all Intents and Purposes, as are given and granted to them by this Act for diverting, widening, altering and improving other Streets and Places; any thing hereinbefore or in the said Map or Plan and Book of Reference contained to the contrary thereof in any wise notwithstanding: Provided always, that nothing herein contained shall extend or be construed in any manner to extend to authorise the said Commissioners to take or use all or any Part of the Houses, Lands, Tenements and Hereditaments situate in *George Court*, adjacent to *Swallow Street* aforesaid.

XVIII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed in any manner to authorize the said Commissioners, or any Person or Persons by their Order, to take or use all or any Part of the Garden of *Sarah Markham*, Widow, situate at the Corner of *Mortimer Street* and *Edward Street*, during

Occupiers not removed without Six Months Notice.

Commissioners &c. empowered to alter, *Swallow Street* from *Piccadilly* to *Leicester Street*.

Provido for *George Court*, *Swallow Street*.

Provido for *Mrs. Markham's Garden* during her Life.

during the Life of the said *Sarah Markham*, without her Consent in Writing previously obtained.

‘XIX. And whereas it would be a considerable Improvement if  
 ‘ *Jermyn Street*, in the Parish of *Saint James Westminster*, should be  
 ‘ widened at the West End thereof, which, from its present narrow  
 ‘ and confined State is extremely inconvenient and dangerous to Pas-  
 ‘ sengers, and an Improvement of the said Street at the East End  
 ‘ thereof is designated by the Plan herein referred to: And whereas  
 ‘ it would be a considerable Improvement if the Passage leading from  
 ‘ *King Street* to *Saint James’s Street*, known by the Name of *Little*  
 ‘ *King Street*, should also be widened;’ Be it therefore enacted, That  
 it shall and may be lawful for the said Commissioners, and they are  
 hereby expressly authorized, when and so soon as they shall find it  
 expedient, to alter, widen and improve the said Streets at the West  
 End thereof, and for that Purpose they are hereby invested with all  
 and every the same Powers and Authorities, to all Intents and Pur-  
 poses, as are given and granted to them by this Act, for diverting,  
 widening, altering and improving other Streets and Places.

Proviso for  
West End of  
Jermyn Street.

Bodies Politic  
empowered to  
treat for Sale  
and Exchange.

XX. And be it further enacted, That it shall be lawful for all Bodies  
 Politic, Corporate or Collegiate, Corporations Aggregate or Sole,  
 Tenants for Life or for Years, or in Tail, Husbands, Guardians, Fe-  
 offees in Trust, Committees, Executors and Administrators, and all  
 other Trustees or Persons whomsoever, not only for and on Behalf of  
 themselves, their Heirs and Successors, but also for and on Behalf of  
 their *Cestuique* Trusts, whether Infants, Issue unborn, or Lunatics,  
 Idiots, Females Covert, or other Person or Persons, and to and for  
 all Females Covert who are or shall be seized or possessed or interested  
 in their own Right, and for every other Person or Persons whomsoever,  
 who are or shall be seized or possessed of or interested in any such  
 Houses, Erections, Buildings, Lands, Tenements and Hereditaments  
 as aforesaid, to contract and agree for the Sale or Exchange of the same  
 and every Part thereof; and all such Contracts and Agreements shall  
 be valid and effectual in the Law to all Intents and Purposes whatso-  
 ever; any Law, Statute, Usage or Custom to the contrary notwith-  
 standing; and all Bodies Corporate or Collegiate, and all Persons  
 whomsoever, so contracting and agreeing as aforesaid, are hereby in-  
 demnified for or in respect of any such Contract or Agreement which  
 he, she or they, or any of them, shall respectively make by virtue  
 or in pursuance of this Act; and all such Contracts or Agreements  
 for such Sales and Exchanges shall be made at the Costs and Expence  
 of the said Commissioners for executing this Act; and all such  
 Houses, Erections, Buildings, Lands, Tenements and Hereditaments,  
 which shall be so agreed to be purchased or exchanged as aforesaid,  
 shall, when so purchased or exchanged, or agreed to be purchased or  
 exchanged, and upon Tender or Payment, in manner hereinafter di-  
 rected, of the Sum or Sums of Money agreed to be paid for the same,  
 be vested in His Majesty, his Heirs and Successors, who shall thence-  
 forth be deemed in Law to be in the actual Seisin and Possession  
 thereof to all Intents and Purposes whatsoever, freed and discharged  
 from all former and other Estates, Rights, Titles, Interests, Claims  
 and Demands whatsoever; and the same shall be employed and made  
 use of for the Purposes of this Act, according to the Directions of  
 the Commissioners for executing this Act, and under the Regulations  
 in this Act mentioned and contained.

XXI. Pro-



XXI. Provided always, and be it enacted, That it shall and may be lawful for the said Commissioners for executing this Act, from time to time, to direct or contract for the taking down any Houses or Buildings to be purchased or made use of for the Purposes of this Act; and all such Materials, and the Money arising from the Sale thereof, shall be and are hereby vested in the said Commissioners for executing this Act; and all such Money (after paying and deducting the necessary Expences of pulling down such Houses and Buildings, and of the Sale of the Materials thereof) shall and may be applied and disposed of, under the Direction of the said Commissioners, for any of the Purposes of this Act.

Commissioners may contract for taking down Houses, and selling Materials.

XXII. And be it further enacted, That if any Owners, Proprietors, Occupiers, Bodies Politic, Corporate or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Trustees, Femes Covert, or any other Person or Persons interested in any Houses, Buildings, Lands, Tenements or Hereditaments, which the said Commissioners for executing this Act are hereby empowered to purchase, take and use for the Purposes of this Act, shall neglect or refuse to treat, or shall not agree in the Premises, or by reason of Absence or Disability shall be prevented from treating with the said Commissioners for executing this Act, or with the Person or Persons authorized by them for the Sale and Disposal of their respective Estates and Interests therein, or cannot be found or known, or shall not produce and evince a clear Title to the Premises they may be in the Possession of, or to the Interest they shall claim therein, to the Satisfaction of the said Commissioners, or of the Person or Persons authorized by them, then and in every or any such case the Sheriff of the said County of *Middlesex* or his Under Sheriff, or the High Bailiff of the City and Liberty of *Westminster*, or his Deputy, as the case may be; or in case such Sheriff or Under Sheriff, High Bailiff, or his Deputy, shall be any ways interested in the Matter in Question, then some One of the Coroners of the said County, not interested therein, shall, upon the Warrant of the said Commissioners for executing this Act in manner hereinafter mentioned, and he and they is and are hereby required and authorized to cause it to be inquired into and ascertained upon the Oaths of a Jury of Twelve indifferent Men of the said County of *Middlesex* or City of *Westminster* (which Oaths the said Sheriff, Under Sheriff, High Bailiff or Deputy, or Coroner, is and are hereby empowered and required to administer), what Damages will be sustained by and what Recompence and Satisfaction shall be made to such Owners, Occupiers or other Person or Persons interested, for 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 seized 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 Good-will, Improvements, or any Injury or Damage whatsoever that may affect any such Person or Persons, Party or Parties, either as Owner, Leaseholder for Term of Years, or Tenant from Year to Year, provided such Good-will shall be estimated by what, in the Opinion of such Jury, the same would have been

How Damages assessed in case of Disagreements.

Jury.

Good-will how estimated.

been worth in case the Improvements intended by this Act had not been in Contemplation ; and also for or on account of the taking of such Houses, Buildings, Lands, Tenements or Hereditaments for the Purposes or under and by virtue of the Authority of this Act ; and in order thereto the said Sheriff, Under Sheriff, High Bailiff, Deputy or Coroner, is and are hereby empowered and required, from time to time as Occasion shall require, to summon and call before the said Jury, and examine upon Oath, all and every Person or Persons whomsoever who shall be thought necessary and proper to be examined as Witnesses or Witnesses touching or concerning the Premises (which Oath the said Sheriff, Under Sheriff, High Bailiff, Deputy or Coroner, is and are hereby empowered to administer) ; and such Sheriff, Under Sheriff, High Bailiff, Deputy or Coroner respectively, shall order and cause the said Jury to view the Places in question if there be Occasion, and use all other lawful ways and means, as well for his and their own as for the said Jury's better Information in the Premises, as the said Sheriff, Under Sheriff, High Bailiff, Deputy or Coroner shall think fit ; and after the said Jury shall have inquired of, ascertained and settled such Damage, Recompence and Satisfaction, the said Sheriff, Under Sheriff, High Bailiff, Deputy or Coroner shall thereupon order the Sum or Sums of Money so assessed by the said Jury to be paid by the said Commissioners for executing this Act, to the said Owners or Occupiers of or other Persons interested therein, according to such Verdict or Inquisition of the said Jury ; which said Verdict or Inquisition and Order, so had and made, shall be final, binding and conclusive, to all Intents and Purposes, upon and against all Bodies Politic, Corporate or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, as well as all other Parties and Persons whomsoever ; and for the summoning and returning of such Jury or Juries, the said Commissioners for executing this Act are hereby empowered to issue their Warrant or Warrants to the said Sheriff, Under Sheriff, High Bailiff, Deputy or Coroner, to summon, impanel and return, at some convenient Place in the said County of *Middlesex* or City of *Westminster*, as the case may be, a Jury of not less than Thirty six nor more than Forty eight honest and indifferent Men, qualified according to Law, to be returned for Trials of Issues in His Majesty's Courts of Record at *Westminster*, to appear before the said Sheriff, Under Sheriff, High Bailiff, Deputy or Coroner, at such Time and Place as in such Warrant shall be appointed, and Fourteen Days Notice at the least in Writing, under the Hands of the said Commissioners for executing this Act, or under the Hand of their Agent duly appointed, of the Time and Place at which such Jury are so required to be returned, shall be given to such Owners, Proprietors, Occupiers, Corporations, Trustees, or any other Person or Persons interested in the Premises, before the time of the Meeting of the said Jury, by leaving such Notice at the Dwelling House of such Person or Persons, or of the Head Officer of such Body or Bodies Politic, Corporate or Collegiate, or with some Tenant or Occupier of the Premises respectively intended to be valued ; and the said Sheriff, Under Sheriff, High Bailiff, Deputy or Coroner is and are hereby empowered to impanel, summon and return such Number accordingly ; and out of the Persons so impanelled, summoned and returned, or out of such of them as shall appear upon such Summons, the said Sheriff, Under Sheriff, High Bailiff, Deputy or Coroner shall

Witnesses  
examining.

Sheriff, &c. to  
order Sum as-  
sessed by Jury  
to be paid.

Warrant for  
summoning, &c.  
Jury.

Notice of time  
and Place of  
Jury returned.

shall swear or cause to be sworn Twelve, who shall be the Jury for the Purposes aforesaid; and in Default of a sufficient Number of Jurymen, the said Sheriff, Under Sheriff, High Bailiff, Deputy or Coroner shall return other honest and indifferent Men of the Standers-by, or that can be speedily procured to attend that Service (being qualified as last aforesaid) to the Number of Twelve; and it shall be lawful for all Persons concerned, by themselves, their Counsel, Solicitors and Agents, to attend and be heard, and to adduce Evidence before the said Sheriff, Under Sheriff, High Bailiff, Deputy or Coroner respectively; and such Persons shall also have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array.

Jury, or de Circumstantibus.

XXIII. And be it further enacted, That no Jury to be summoned by virtue of this Act shall be allowed to assess or award any Sum or Sums of Money to any Person or Persons by way of Compensation, for Good-will or Improvements, alleged to have been lost, or any Injury or Damage alleged to have been sustained by him or them by reason or means of this Act, or any thing which shall or may be done in the Execution hereof, unless Notice in Writing, stating the Particulars of every such Claim, and how and in what manner the Amount thereof is made out and computed, shall have been given by or on behalf of such Person or Persons to the said Commissioners for executing this Act, or to their Secretary, within Three Calendar Months next after such supposed Loss shall have been incurred, or such supposed Damage or Injury shall have been occasioned or sustained, and Ten Days at least before the time of the Meeting of such Jury.

Particulars of Compensation claimed for Loss or Damages, delivered to Commissioners.

XXIV. And be it further enacted, That if the Sheriff, Under Sheriff, High Bailiff, Deputy or Coroner, so directed to summon and return a Jury as aforesaid, shall make Default in the Premises, he shall, for every such Offence, forfeit and pay any Sum not exceeding Ten Pounds; and if any Person so summoned and returned as aforesaid upon such Jury, shall not appear, or, appearing, shall refuse to be sworn or to give his Verdict, or shall in any other manner wilfully neglect his Duty, contrary to the true Intent and Meaning of this Act; or if any Person so summoned as a Witness shall not appear, or, appearing, shall refuse to be examined or to give Evidence, any Person so offending, having no reasonable Excuse to be allowed by the Justices hereinafter mentioned, shall, for every such Offence, forfeit and pay any Sum not exceeding Ten Pounds, which several and respective Penalties shall and may be levied by virtue of any Warrant under the Hand and Seal of any One of His Majesty's Justices of the Peace for the County of *Middlesex* or City of *Westminster*, by Distress and Sale of the Goods and Chattels of the Person so offending; rendering to him or her the Overplus, after such Penalty, and the Charges of such Distress and Sale, shall be deducted.

Sheriff not returning.

Penalty.

Jury not appearing, &c.

Penalty:

XXV. And be it further enacted, That in case any Jury, to be summoned and sworn pursuant to the Authority of this Act, shall give in a Verdict or Assessment for more Money, as a Recompense, Compensation or Satisfaction for the Right, Interest or Property of any Person or Persons in any such Houses, Buildings, Lands, Tenements or Hereditaments, or for any such Good-will, Improvements, Injury or Damage as aforesaid, than shall have been agreed to be given and offered for the same by the said Commissioners for execut-

Expences of Juries how paid.

ing

ing this Act, before the summoning and returning of such Jury, then and in every such case all the reasonable Costs, Charges and Expences of causing and procuring such Recompence, Compensation or Satisfaction, to be assessed by a Jury, shall be settled by the Sheriff, Under Sheriff, High Bailiff, Deputy or Coroner before whom such Claim shall have been tried, and shall be paid by the said Commissioners out of the Monies which shall arise by virtue of this Act; but if any Jury so summoned and sworn as aforesaid, shall give in a Verdict or Assessment for no more or for less Money, as such Recompence, Compensation and Satisfaction as aforesaid, than shall have been agreed to and offered by the said Commissioners for the same, before the summoning and returning of the said Jury; or in case no Damages shall be given by the Verdict, where the Dispute is for Damages only, or where the causing and procuring such Jury to be summoned shall have arisen from a Refusal to treat or agree with the said Commissioners for executing this Act, by any Body or Bodies Politic, Corporate or Collegiate, or by any Person or Persons whomsoever, who is or are by the Provisions of this Act, or otherwise, legally empowered to treat; then all such Costs, Charges and Expences (to be settled by such Sheriff, Under Sheriff, High Bailiff, Deputy or Coroner, in manner aforesaid) shall be paid to the Commissioners for executing this Act, by the said Body or Bodies Politic, Corporate or Collegiate, or other Person or Persons so claiming such Compensation, or refusing to treat and agree as before mentioned respectively; save only and except where, by reason of Absence or other like Cause, any Person shall have been prevented from treating or agreeing as aforesaid, in which case no Costs, Charges or Expences shall be allowed to either Party as against the other; and all Costs, Charges and Expences hereby directed to be paid to the said Commissioners for executing this Act, shall and may be deducted and retained by them out of the Money so adjudged or assessed to be paid by them, as so much Money advanced to and for the Use of the Person and Persons entitled to such Money so adjudged, and Payment or Tender of the Remainder of such Money shall be deemed and taken to be a Payment or Tender of the whole Sum or Sums so adjudged or assessed; or in case no Money, or no sufficient Sum of Money shall be awarded to be paid by the said Commissioners, whereout such Costs, Charges and Expences can be deducted, then the same shall and may be recovered by such ways and means as are hereinafter provided for the Recovery of Penalties, Forfeitures and Fines, by this Act imposed or authorized to be imposed.

Verdicts re-  
corded.

XXVI. And be it further enacted, That all the said Judgments and Verdicts shall be recorded in the Office of the Auditor of His Majesty's Land Revenue; and a Minute or Docket thereof shall be entered and preserved in the Office of the Commissioners of His Majesty's Woods, Forests and Land Revenues; and all such Judgments and Verdicts shall be afterwards deposited with the Clerk of the Peace of the said County of *Middlesex*, to be kept and preserved by him amongst the Records of the Quarter Sessions of the said County, and shall be deemed to be Records to all Intents and Purposes whatsoever; and the same or true Copies thereof shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling, and to take Copies thereof, paying for every

Copies Evidence.

Copy

Copy the Sum of Six pence for every One hundred Words, and so in Proportion for any less Number of Words.

XXVII. And be it further enacted, That if in any case the Owner or Owners of any House or Building, or of any Yard or Curtilage occupied therewith, Part only of which Premises shall at any time be required by the said Commissioners for executing this Act, to be applied for the Purposes of this Act, shall be unwilling to sell or dispose of such Part only of such House, Building, Yard or Curtilage, as shall be required by the said Commissioners, it shall and may be lawful for the said Commissioners executing this Act, and they are hereby required, at the Option of any Owner or Owners of any such House, Building, Yard or Curtilage, to purchase of and from the said Owner or Owners the Whole or such Part thereof as such Owner or Owners shall think fit, and to apply so much and such Part thereof as they the said Commissioners for executing this Act, with such Consent and Approbation as aforesaid, shall see fit for the Purposes of this Act; and that if such Owner or Owners shall not or cannot agree with the said Commissioners for executing this Act, for the Price to be paid for the Purchase of the whole of such House, Building, Yard or Curtilage, then the Value thereof shall be settled and ascertained by a Jury, in such manner as the Price for any Land to be taken in pursuance of this Act is directed to be settled and ascertained by this Act; and all such other Proceedings shall take place respecting the said Premises, as are hereinbefore mentioned and directed with respect to the Premises, the Value of which shall be ascertained by a Jury in manner aforesaid.

Commissioners may purchase the whole of Premises from Owners unwilling to sell Part.

XXVIII. And be it further enacted, That in case any Houses, Buildings, Lands, Tenements or Hereditaments, immediately abutting upon or adjoining to any of the Houses, Buildings, Tenements or Hereditaments which shall be purchased, taken or used by virtue of this Act, shall be damaged or injured in the Execution of this Act, or in case any Houses, Buildings, Tenements or Hereditaments so nearly adjacent to the same, as to be directly and immediately affected in their Lights or other substantial Easements, shall be thereby damaged, injured or lessened in Value, then and in such case the Owners, Leaseholders or Occupiers, or other Persons interested in the Houses, Buildings, Tenements and Premises which shall be so damaged, injured or lessened in Value, shall be entitled to claim from the said Commissioners a fair and reasonable Compensation for any such Injury, Loss or Damage; and in case of Disagreement between them as to the Amount of such Compensation, or any Apportionment thereof, the same shall be enquired into, ascertained and settled by a Jury, in the same manner and under and subject to the same Rules and Regulations, Powers and Authorities, as are by this Act prescribed in regard to the Value of any Houses, Buildings, Lands, Tenements or Hereditaments, to be purchased, taken or used by the said Commissioners for the Purposes of this Act.

Compensation for Damages to Houses abutting upon Buildings to be taken down.

XXIX. And be it further enacted, That the Owners, Leaseholders, Proprietors, Occupiers or any other Person or Persons whomsoever, interested in any Mews, Stable Yard, Coach Houses, Stables, Tenements or Hereditaments, immediately abutting upon, and adjoining or adjacent to the said intended Streets, which the said Commissioners may find it necessary to stop up by virtue of this Act, except the Mewes and Yards hereinbefore particularly mentioned, and

Compensation for Stable-yards, Mews stopped up, and Power for Commissioners to purchase in certain cases.

which, by their building against and obstructing, may be deteriorated and lessened in Value, inasmuch as the Entrance or Entrances communicating with the present Streets or Thoroughfares may be blocked up or obstructed, shall and may have full Right to claim from the said Commissioners the Amount of all fair and reasonable Compensations for any Injury, Loss or Damage sustained or incurred by him, her or them, either on account of the Obstructions or stopping up the present Entrances; and in case of Disagreement as to the Amount of such Compensation, the same shall be enquired into and ascertained by a Jury, in the same way and under and subject to the same Powers and Authorities, as are by this Act prescribed in regard to Houses, Buildings, Lands, Tenements and Hereditaments, purchased, taken and used by the said Commissioners for the Purposes of the same: Provided nevertheless, that the said Commissioners shall, instead of making such Compensations as aforesaid, except in the cases of *Old Burlington Mews* or *Crown Yard*, and *New Burlington Mews* or *Paviors Arms Yard*, have the Option of purchasing such Mewses, Stable Yards, Coach Houses, Stables and Premises; and all the same Powers and Authorities shall apply thereto as are herein contained, in regard to other Purchases under this Act.

Proviso.

‘XXX. And whereas such of the Houses, Buildings, Lands, Tenements and Hereditaments as are situated on the East Side of *Saint Alban's Street*, between *Charles Street* and *Market Row South*, will be deteriorated and lessened in Value by the said Street being narrowed, and it is just and reasonable that the Owners, Leaseholders, Occupiers, or other Persons interested in such Houses and Buildings respectively, should be compensated for any Damage they may sustain by reason thereof;’ Be it therefore enacted, That a fair and reasonable Recompense and Satisfaction shall be made by the said Commissioners for executing this Act, out of the Monies to be raised by virtue hereof, to the Owners, Leaseholders, Occupiers or other Persons interested in such of the said Houses, Buildings, Lands, Tenements and Hereditaments on the East Side of *Saint Alban's Street* between *Charles Street* and *Market Row South*, for any Injury or Damage they may respectively sustain by means of the said Street being so narrowed as aforesaid; which Damage shall be apportioned between such Owners, Leaseholders, Occupiers and Persons interested, according to their respective Estates and Interests therein; and in case of any Disagreement touching the Amount of such Compensation, or the Apportionment thereof, the same shall be enquired into, ascertained and settled by a Jury, in the same manner and under and subject to the same Rules and Regulations, Powers and Authorities, as any Injury or Damage affecting any Owner, Leaseholder, or Tenant of any other Houses, Buildings or Grounds are by this Act directed to be settled, valued and ascertained: Provided always, that in lieu and stead of making such Compensation or Satisfaction as aforesaid, it shall and may be lawful for the said Commissioners acting in the Execution of this Act, and they are hereby authorized and empowered, if they shall think it expedient so to do, to purchase and buy all or any of such Houses, Buildings and Ground, and all subsisting Leases, Terms, Estates and Interests therein, in respect of which any Compensation may be demanded, in such and the like manner and by and with such and the like Consent and Approbation, and shall cause the Value thereof to be ascertained and settled, and the Purchase Money

Compensation to Persons interested in Houses in Saint Alban's Street.

Proviso.

to be paid and applied by the like rules and means, and all Powers and Authorities hereby given shall extend and be applicable thereto, in like manner as if the said Houses, Buildings, Ground and Hereditaments were described or comprized in the said Map or Plan and Book of Reference, and were necessary or requisite to be pulled down, taken or used for making or forming the said intended New Street.

XXXI. Provided always, 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, shall be paid or tendered to the Party or Parties entitled to the same, or into the Bank of *England* as herein mentioned, before the said Commissioners, or any Person or Persons authorized by them, shall proceed to take Possession or pull down any Houfe or Houses, or other Erections or Buildings comprized in or affected by such Agreement or Verdict respectively, or to use the Ground for any of the Purposes of this Act.

Money paid before any Use is made of Premises.

XXXII. And be it further enacted, That upon Payment or legal Tender of the Sum or Sums of Money, Recompence and Satisfaction, which shall be agreed for, awarded or assessed as aforesaid, to the Parties or Persons respectively entitled thereto, or to their Agents, or on depositing the same in the Bank of *England* in the manner directed by this Act (in case the same shall be requisite), all Owners and Occupiers of, and all other Persons or Corporations interested in such Houses, Buildings, Lands, Tenements and Hereditaments, shall, from thenceforth be divested of all Right, Title, Claim, Interest and Property of, in, to or out of the same; and such Houses, Buildings, Lands, Tenements and Hereditaments shall from thenceforth vest in His Majesty, his Heirs and Successors, who shall be deemed in Law to be in the actual Seisin and Possession thereof to all Intents and Purposes, freed and discharged from all former and other Estates, Rights, Titles, Interests, Claims and Demands, and shall and may be pulled down, made use of and employed for the Purposes of this Act, according to the Directions of the said Commissioners for executing this Act, and under the Regulations in this Act mentioned and contained.

Power to enter and take Possession of Houses, &c. on Payment or Tender of Purchase Money.

XXXIII. And be it further enacted, That all and every Person and Persons, Body and Bodies Politic, Corporate and Collegiate, in Possession of any Houses, Buildings, Lands, Tenements and Hereditaments, or any Part thereof, which shall be purchased in order to be made use of by virtue of and for the Purposes of this Act, shall, upon receiving Three Calendar Months Notice in Writing from the said Commissioners for executing this Act, or their Agent duly authorized, at the End of the said Three Calendar Months, or so soon after as he, she or they shall be required, peaceably and quietly deliver up the Possession of the said Premises to the said Commissioners, or the Person or Persons authorized by them to take Possession thereof; and that in case any such Person or Persons, Bodies Politic, Corporate or Collegiate, shall refuse to give up such Possession as aforesaid, then it shall and may be lawful for the said Commissioners to issue their Precept or Precepts to the Sheriff of the said County of *Middlesex*, or to the High Bailiff of the City or Liberty of *Westminster* (as the case may be), 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

Possession delivered up.

said Sheriff or High Bailiff is hereby required to deliver such Possession accordingly of the said Premises, and to levy such Costs as shall accrue from the issuing of such Precept or Precepts on the Person or Persons so refusing to give up such Possession as aforesaid, by Distress and Sale of his, her or their Goods.

Commissioners empowered to sell, exchange or lease Premises not wanted for Purposes of Act.

XXXIV. Provided always, and be it further enacted, That it shall and may be lawful for the said Commissioners for executing this Act, by and with the Consent and Approbation in Writing of the said Lord High Treasurer, or of the said Commissioners for executing the said Office of Lord High Treasurer, or any Three or more of them, absolutely to sell and dispose of all or any Part of the Houses, Buildings, Lands, Tenements and Hereditaments, of or belonging to His Majesty, his Heirs and Successors, in the Lines of the said Streets and Places respectively to be erected and built, altered, repaired or improved, under or by virtue of this Act, or which shall be so purchased or acquired as aforesaid, and shall not be wanted for the Purposes of this Act; and also to convey in Exchange, with such Consent and Approbation as aforesaid, all or any Part of the Houses, Buildings, Lands, Tenements and Hereditaments of or belonging to His Majesty, his Heirs and Successors, situate within any or either of the Parishes through which the said Streets and Places respectively to be erected and built, altered, stopped up, repaired or improved, under or by virtue of this Act, extend, in lieu of and in Exchange for any other Houses, Buildings, Lands, Tenements and Hereditaments which shall be wanted for the Purposes of this Act; and also to demise or lease, or previous to any such Demise or Lease to enter into any Contract or Agreement for the demising or leasing, with such Consent and Approbation as aforesaid, all or any Part of the Houses, Buildings, Lands, Tenements and Hereditaments to be purchased, erected, built, altered, repaired and improved, under or by virtue of this Act, for any Term or Terms of Years, not exceeding Ninety nine Years from the making thereof, at such Rent or Rents, and under such Covenants, Conditions, Clauses and Restrictions, and in such manner as the said Commissioners for executing this Act shall from time to time, with such Consent and Approbation as aforesaid, judge proper and think most advantageous, and to receive and take any Fine or Fines for the granting such Leases, and to apply all such Fines to the Purposes of this Act; and all Conveyances, Exchanges and Leases which shall be made by the said Commissioners for executing this Act, of any of the said Houses, Buildings, Lands, Tenements and Hereditaments, may be made according to the Forms set forth in the Schedule to this Act annexed, or as near thereto as the circumstances of the case will admit; and all such Conveyances, Exchanges and Leases shall be good, valid and effectual; any Provisions, Restrictions or Clauses contained in any Act or Acts of Parliament relating to His Majesty's Land Revenues, or to any Property under the Management of the Commissioners of His Majesty's Woods, Forests and Land Revenues, or any Practice, Custom or Usage to the contrary thereof in any wise notwithstanding.

Application of Purchase Money exceeding 200l. when payable to Corporations, &c.

XXXV. And be it further enacted, That if any Money shall be agreed or assessed to be paid for any Houses, Buildings, Lands, Tenements or Hereditaments, or for any other Matter, Right or Interest of what Nature or Kind soever, purchased, taken or used by virtue



virtue of this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic or other Person or Persons under any Disability or Incapacity, or not legally entitled absolutely to dispose of the Premises by the Sale of which such Money shall be produced, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Commissioners for executing this Act, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary way by the Person or Persons who would have been entitled to the Rents and Profits of the said Houses, Buildings, Lands, Tenements or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance or Part thereof, as the said Court shall authorize to be paid, affecting the same Houses, Buildings, Lands, Tenements or Hereditaments, or affecting other Houses, Buildings, Lands, Tenements or Hereditaments standing settled therewith, or to the same or the like Uses, Trusts, Intents or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Lands, Tenements or Hereditaments, which shall be conveyed and settled to, for and upon such and the like Uses, Trusts, Intents and Purposes, and in the same manner as the Hereditaments which shall be so purchased, taken or used as aforesaid, stood settled or limited, or such of them as at the time of making such Conveyance or Settlement shall be existing, undetermined and capable of taking Effect; and in the mean time and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery, upon Application thereto, be invested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean time and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from time to time be paid, by Order of the said Court, to the Person or Persons who would for the time being have been entitled to the Rents and Profits of the Lands, Tenements and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

XXXVI. Provided always, and be it further enacted, That if any Money so agreed or assessed to be paid for any Houses, Buildings, Lands, Tenements or Hereditaments purchased, taken or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such cases the same shall, at the Option of the Person or Persons for the time being entitled to the Rents and Profits of the Hereditaments so purchased, taken or used, or of his, her or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be

Application where Purchase Money under 200l. and not less than 20l.

signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privy of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in manner hereinbefore directed; or otherwise the same shall be paid, at the like Option, to Two or more Trustees to be nominated by the Person or Persons making such Option, and approved of by the said Commissioners for executing this Act (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money and the Dividends arising thereon, may be applied in manner hereinbefore directed, so far as the case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said High Court of Chancery.

Application where Money under 20l.

XXXVII. Provided also, and be it further enacted, That where such Money so agreed or assessed to be paid as hereinbefore mentioned shall be less than Twenty Pounds, then and in all such cases the same shall be applied to the Use of the Person or Persons who would for the time being have been entitled to the Rents and Profits of the Hereditaments so purchased, taken or used for the Purposes of this Act, in such manner as the said Commissioners for executing this Act shall think fit; or in case of Infancy or Lunacy, then to his, her or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

If Title not made out;

XXXVIII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be so ordered to be paid as aforesaid, shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners for executing this Act, or shall refuse to execute such Contract or Agreement, Contracts or Agreements as aforesaid; or in case the Person or Persons to whom such Sum or Sums of Money shall be so ordered to be paid as aforesaid cannot be found, or if the Person or Persons entitled to such Houses, Buildings, Lands, Tenements or Hereditaments, be not known or discovered: then and in every such case it shall and may be lawful for the said Commissioners for executing this Act, to order the said Sum or Sums of Money so awarded, to be paid into the Bank of *England*, in the Name and with the Privy of the Accountant General of the said 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 or Disposition of the said High Court of Chancery; which said Court, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and the same is hereby empowered, in a summary way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, or to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest, of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts

or, if Persons cannot be found, Purchase Money paid into Bank.

Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

XXXIX. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privy of the Accountant General of the Court of Chancery in pursuance of this Act, for the Purchase of any Houses, Buildings, Lands, Tenements or Hereditaments to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Houses, Buildings, Lands, Tenements or Hereditaments, at the time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Houses, Buildings, Lands, Tenements and Hereditaments according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Houses, Buildings, Lands, Tenements or Hereditaments, or to some Estate or Interest therein.

Persons in Possession deemed well entitled unless contrary shewn.

XL. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Houses, Buildings, Lands, Tenements or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said High Court of Chancery, and to be applied in the Purchase of other Lands, Tenements or Hereditaments to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from time to time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Commissioners for executing this Act; who shall from time to time pay such Sums of Money for such Purposes as the said Court shall direct.

Court may order reasonable Expences to be paid by Commissioners.

XLI. And be it further enacted, That in the designing and laying out, opening and making such Streets or Places, and in the erecting or rebuilding such Dwelling Houses and other Buildings as above mentioned, the said Commissioners shall, by and out of the Monies to be raised 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 (except such as shall be used again as Cellars, Vaults or Areas), with good sound hard Brick, Rubbish or other sound and proper Materials, to be well rammed down every Three or Four Inches thick, to prevent the Ground from giving way, and do and shall, out of the Monies so to be raised as aforesaid, well and effectually pave over all the Ground of the said

Paving, Lighting and Watching.

Cellars.

Paving.

new intended Streets and Places 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 and by the like means, relay and repair all and every Part of the Streets, Ways, Courts and Passages, which they shall disturb or alter in carrying the Purposes of this Act into Execution; and moreover, that the said Commissioners shall, by and out of the same Monies, provide, place and affix such proper and substantial Lamp Irons, with Lamps and Burners, for lighting the said intended new Streets and Places, of such Dimensions and Quality, and at such Distances from each other, and painted and finished in such manner as shall be approved by the respective Vestrymen, Committees or Directors for the time being, for paving, cleansing and lighting the said respective Parishes; and also in like manner provide, place and affix, at proper Distances from each other, good and substantial Watch Boxes for the Watchmen of each of the said respective Parishes, and such as shall be approved of by the Vestrymen, Committees or Directors of the said respective Parishes for the time being: Provided nevertheless, that nothing herein contained shall extend or be construed to extend to charge the said Commissioners with repairing or making good such Pavements, Lamps, Lamp Irons or Watch Boxes in future; but that from and after the same shall be so paved, relaid and repaired as aforesaid, and such Lamps, Lamp Irons and Watch Boxes provided and finished as aforesaid, the same shall for ever after be kept in Repair, by and at the Expence of the said Parishes, to which the same shall respectively belong, and that the Right and Property of all Pavements, Stones, Bricks, Posts, Lamps, Lamp Irons, Lamp Posts and Watch Boxes, so to be laid, erected and fixed up as aforesaid, shall belong to and be the Property of the said respective Parishes, in the same manner as things of a like Description, in other Parts of the said Parishes respectively, are at the present vested by Law.

Lamps.

Watch Boxes.

Commissioners  
not charged in  
future.

XLII. And whereas by reason of the taking down of the several Dwelling Houses and other Buildings required for the Purposes of this Act, a Deficiency may arise in the Produce of the annual Stipends, *Easter Dues*, Obventions or Oblations, and also in the annual Produce of Church Duties for Burials, Marriages and Christenings (usually called Surplice Fees and Burial Ground Fees), and other Perquisites and Payments payable in respect thereof, to the Rectors, Churchwardens, Clerks in Orders, Sextons and other Officers belonging to the respective Churches of the Parishes herein mentioned, and to the Trustees of the new Burial Ground of the said Parish of *Saint James*; Be it therefore enacted by the Authority aforesaid, That the said Commissioners shall, Yearly and every Year, pay and make good, or cause to be paid and made good, unto the Rectors of the said respective Parishes for the time being, for the Use of themselves, and the Clerks in Orders, and other Officers and Trustees above mentioned respectively, all such Deficiencies as shall or may arise or happen by reason or means of any thing done in the Execution of this Act, in the Produce of the said annual Stipends, *Easter Dues*, Oblations or Obventions, and Church Duties above mentioned, from and after *Easter Tuesday*, which will be in the Year of our Lord One thousand eight hundred and fourteen; which Deficiencies shall be estimated and ascertained conclusively, at or upon the

Indemnity to  
Rectors, &c. for  
Church Dues.

the average Produce of such annual Stipends, *Easter Dues*, Oblations or Obventions, and Church Duties respectively, for the Three Years immediately preceding *Easter Tuesday* One thousand eight hundred and thirteen, compared with the Produce thereof for each subsequent Year; and the first Yearly Payment of which Deficiencies shall be made on *Easter Tuesday* One thousand eight hundred and fifteen.

XLIII. And whereas for the Reason above mentioned, there may be Deficiencies in the Produce of the Assessments for Land Tax, and for the Relief of the Poor, and making certain Payments directed by Act of Parliament to be made out of the Poor's Rate, and for paving, cleansing, lighting and watching the said Parishes respectively, and occasionally for repairing and amending the Churches, Steeples, Church Yards and Vestry Rooms belonging to the same Parishes respectively; Be it therefore enacted by the Authority aforesaid, That the said Commissioners shall, Yearly and every Year, from and after the respective times of first making the said respective Assessments after the passing of this Act, pay and make good or cause to be paid and made good to the said Parishes respectively, all such Sum and Sums of Money as shall be deficient in respect of the Produce of the said several Rates or Assessments, by reason or means of the carrying of this Act into Execution; the same Deficiencies to be ascertained by the Amount of such Rates or Assessments as the Houses and Buildings shut up, taken down or used by virtue of this Act would, from Year to Year, at the present Rental, in the different Books of Assessment to the Land Tax, Poor Rate, paving, cleansing, lighting, watching and repairing the said respective Churches, have produced, according to the several Pound Rates to be assessed from time to time on the Inhabitants of the other Parts of the said Parishes respectively, and shall pay the same accordingly to the several Collectors of the said Taxes and Rates quarterly, or otherwise, as the same shall become due: Provided always, that whenever, by the Operation of this Act, the Produce or Payments in respect of the several and respective Assessments for Land Tax, and for the Relief of the Poor, paving, cleansing, lighting and watching, and for repairing the Churches, Steeples, Church Yards and Vestry Rooms of the said Parishes respectively, of and for all such Houses, Buildings, Tenements and Hereditaments whatsoever, as, for the time being, shall be standing upon the Line of the said intended new Streets and Places, shall amount to a larger Sum of Money than the Sums which would have been rateable or assessable upon the Houses, Buildings, Lands, Tenements and Hereditaments situate within the said Parishes respectively, which shall be pulled down, taken or used for the Purposes of this Act, according to the present Rental of the said Houses, Buildings, Lands, Tenements and Hereditaments in the different Books of Assessment to the Land Tax, Poor Rate, paving, cleansing, lighting, watching and repairing the said Churches respectively, that then the aforesaid Payments, on account of Deficiencies in the said annual Stipends, *Easter Dues*, Obventions or Oblations, Church Duties, Land Tax, Poor Rates, paving, cleansing, lighting and watching, and for repairing the Churches, Steeples, Church Yards and Vestry Rooms of the said Parishes respectively, shall severally cease and determine; and when also and from thenceforth the Surplus (if any there shall be) in

Indemnity for Land Tax, and Proviso for Re-imbursment.

Commissioners re-imbursed when Rent shall exceed present Amount.

the said Land Tax, Rates or Assessments, shall be applied and paid to the said Commissioners for executing this Act, towards re-imbursing them what they shall have paid for or in respect of the aforesaid Deficiencies on the same respective Accounts, and so from time to time when and as often as there shall be any Surplus on the said respective Accounts, until the said Commissioners shall be wholly re-imbursed and repaid all Monies which they shall have disbursed in respect of such Deficiencies: Provided, that nothing herein contained shall extend or be construed to extend to compel the Rectors for the time being, or any or either of them, to pay or refund any Sum or Sums of Money in respect of the Difference of *Easter Offerings*, Oblations, Obventions or Church Dues.

Power to borrow Money on Mortgage of Houses, &c.

XLIV. And, in order to enable the said Commissioners for executing this Act to carry the several Purposes thereof into Execution, be it further enacted, That it shall and may be lawful to and for the said Commissioners for executing this Act, by and with the Consent and Approbation in Writing of the said Lord High Treasurer, or of the said Commissioners for executing the said Office of Lord High Treasurer, or any Three or more of them, and notwithstanding any Provision, Restriction or Clause contained in any Act or Acts of Parliament relating to His Majesty's Land Revenue, or to any Property under the Management of the Commissioners of His Majesty's Woods, Forests and Land Revenues, to borrow and take up at Interest from time to time such Sum or Sums of Money, not exceeding in the Whole the Sum of Five hundred thousand Pounds, as they the said Commissioners for executing this Act, with such Consent and Approbation as aforesaid, shall judge necessary for the Purposes of this Act, on Mortgage of all or any Part or Parts of the Houses, Buildings, Lands, Tenements and Hereditaments of or belonging to His Majesty, his Heirs and Successors, in the Lines of the said Streets and Places to be erected, altered, repaired or improved, or which shall be purchased or exchanged by virtue of this Act; or by Mortgage of all or any Part or Parts of the Houses, Buildings, Lands, Tenements and Hereditaments of or belonging to His Majesty, his Heirs and Successors, situate, lying and being between *Pall Mall* on the South, *Piccadilly* on the North, *Saint James's Street* on the West and the *King's Mews* on the East, or in any or either of the said last mentioned Streets or Mews; and for securing the Repayment of the said Sum of Five hundred thousand Pounds, or any Part or Parts thereof, with Interest for the same, with such Consent and Approbation as aforesaid, to grant, demise, mortgage or otherwise convey all or any Part or Parts of the same Houses, Buildings, Lands, Tenements and Hereditaments respectively, unto any Person or Persons who shall lend and advance such Sum or Sums of Money respectively, his, her or their Heirs, Executors or Administrators, or to whom he or they shall appoint, either in Fee or for any Term of Years, so that every such Grant, Mortgage or Security be made with a Proviso or Condition to cease and be void, or with an express Direction or Condition, to be conveyed, surrendered or assigned, when such Sum or Sums of Money thereby to be secured and the Interest thereof shall be fully paid and satisfied; and every such Grant, Mortgage or Security may be in the Form or to the Effect following; that is to say,

‘ A. B.

*A. B. and C. D.* Two of the Commissioners of His Majesty's Woods, Forests and Land Revenues, being duly authorized by the Lords Commissioners of His Majesty's Treasury, and acting in pursuance of an Act passed in the Fifty third Year of the Reign of His Majesty King *George* the Third, intituled [*here set forth the Title of this Act*], in Consideration of the Sum of \_\_\_\_\_ lent and advanced by *E. F.* of \_\_\_\_\_ to the Commissioners of His Majesty's Woods, Forests and Land Revenues, upon the Credit and for the Purposes of the said Act, do, by and with the Consent and Approbation of the Commissioners of His Majesty's Treasury, and for and on Behalf of His Majesty, grant, mortgage and convey unto the said \_\_\_\_\_ his Heirs, Executors, Administrators or Assigns, [*or, if by Demise, then say, do grant, mortgage and demise unto the said \_\_\_\_\_ his Executors, Administrators or Assigns, or, to his Trustee or Trustees, as the case may be*] All [*here insert the Parcels*] To hold to the said \_\_\_\_\_ his Heirs and Assigns for ever [*or, if for a Term, then say, To hold to the said \_\_\_\_\_ his Executors, Administrators or Assigns, for a Term of \_\_\_\_\_ Years, to be computed from the Date hereof*] for securing the Repayment of the said Sum of \_\_\_\_\_ with Interest for the same after the Rate of \_\_\_\_\_ *per Centum per Annum*; such Interest to be paid by Half yearly Payments: Provided, and these Presents are upon this express Condition, that the Grant and Conveyance [*or, Demise, as the case may be*] hereby made, shall cease and be void when and as soon as the said Sum of \_\_\_\_\_ and the Interest thereof as aforesaid shall be fully paid and satisfied. [*Here may be introduced any special Clauses respecting the time and manner of Payment, which may be agreed upon between the Parties.*] In Witness whereof the said *A. B. C. D.* and \_\_\_\_\_ have hereunto set their Hands and Seals the \_\_\_\_\_ Day of \_\_\_\_\_ in the \_\_\_\_\_ Year of our Lord \_\_\_\_\_

Form of Mortgage, &c.

And every such Grant, Mortgage or Security shall be good and valid, notwithstanding any such Provisions, Restrictions or Clauses, contained in any such Act or Acts of Parliament as aforesaid, and shall entitle the Person or Persons to or in Trust for whom the same shall be made, his, her or their Heirs, Executors, Administrators or Assigns, to the Payment of the Sum or Sums of Money and Interest thereby secured by any such Grant, Mortgage or Security, according to the true Intent and Meaning thereof, and of this Act; and the Costs, Charges and Expences of every such Grant, Mortgage or Security, shall be from time to time defrayed by the said Commissioners for executing this Act, out of the Money so borrowed.

XLV. And be it further enacted, That in case the said Commissioners for executing this Act shall think it advisable to raise all or any Part or Parts of the said Sum of Five hundred thousand Pounds, upon the Credit of the Rents and Profits of the Houses, Buildings, Lands, Tenements and Hereditaments, so authorized to be demised or leased by them by virtue of this Act, instead of by such Mortgage as aforesaid, then and in such case it shall and may be lawful to and for the said Commissioners for executing this Act, by and with

Power to borrow Money on Mortgage of Rents.

with the Consent and Approbation in Writing of the said Lord High Treasurer, or of the said Commissioners for executing the said Office of Lord High Treasurer, or any Three or more of them, from time to time to borrow and take up at Interest such Sum or Sums of Money, not exceeding in the Whole the said Sum of Five hundred thousand Pounds, as they the said Commissioners for executing this Act, with such Consent and Approbation as aforesaid, shall judge necessary for the Purposes of this Act, upon the Credit of the Houses, Buildings, Lands, Tenements and Hereditaments so authorized to be demised or leased by them as aforesaid (not being comprised in any such Mortgage or Mortgages as aforesaid); and by Writing under the Hands and Seals of the said Commissioners for executing this Act to assign, with such Consent and Approbation as aforesaid, all or any Part of the said Rents and Profits to such Person or Persons as shall lend or advance any Money thereon, or to his, her or their Trustee or Trustees, as a Security for the Principal Money to be advanced, with lawful Interest for the same; and the Charges and Expences of such Assignment, to be made as hereinafter mentioned, shall be from time to time defrayed by the said Commissioners for executing this Act, out of the Money so borrowed; and every such Assignment may be in the Form or to the Effect following; that is to say,

Form of Assignment.

WE *A. B.* and *C. D.* being Two of the Commissioners of His Majesty's Woods, Forests and Land Revenues, being duly authorized by the Lords Commissioners of His Majesty's Treasury, and acting in pursuance of an Act passed in the Fifty third Year of the Reign of His Majesty King *George* the Third, intituled [*here set forth the Title of this Act*] in Consideration of the Sum of *£* *\_\_\_\_\_* lent and advanced by *E. F.* upon the Credit and for the Purposes of the said Act, to the Commissioners of His Majesty's Woods, Forests and Land Revenues, do, for and on Behalf of His Majesty, his Heirs and Successors, hereby grant and assign unto the said *E. F.* [*or, to his Trustee or Trustees, as the case may be*] his Executors, Administrators and Assigns, such Proportion of the Rents and Profits to arise and be received in respect of any Demises or Leases granted or to be granted by virtue of the same Act, as the said Sum of *\_\_\_\_\_* doth or shall bear to the whole Sum which may at any time be borrowed or become due and owing, or be charged upon the Credit of such Rents and Profits, to be had and holden from this *\_\_\_\_\_* Day of *\_\_\_\_\_* until the said Sum of *\_\_\_\_\_* with Interest after the Rate of *\_\_\_\_\_* per Centum per Annum for the same, shall be fully paid and satisfied. In Witness whereof, we the said *A. B. C. D.* and *E. F.* have hereunto set our Hands and Seals, the *\_\_\_\_\_* Day of *\_\_\_\_\_* in the Year of our Lord *\_\_\_\_\_*.

And all such Assignments shall be numbered, commencing with Number One, and so proceeding in an Arithmetical Progression, whereof the common Excess or Difference shall always be one, in respect of every One hundred Pounds so advanced as aforesaid; and every such Security shall be good, valid and effectual in the Law, and shall entitle the Person or Persons to whom the same shall



shall be made, his, her or their Executors, Administrators and Assigns, to the Payment thereof, according to the true Intent and Meaning of this Act.

XLVI. And be it further enacted, That it shall and may be lawful to and for the Persons entitled to any of the Assignments so to be granted for the Money to be borrowed as aforesaid, and their respective Executors, Administrators or Assigns, at any time by Writing under their Hands and Seals to transfer such Assignments to any Person or Persons whomsoever; and every such Transfer may be in the Form or to the Effect following;

Form of transferring Assignments.

‘ I *A. B.* being entitled to the Sum of  
 ‘ by virtue of an Assignment bearing Date the  
 ‘ Day of \_\_\_\_\_ under the Hands and Seals of  
 ‘ Two of the Commissioners of His Majesty’s Woods, Forests and  
 ‘ Land Revenues, acting in Execution of an Act made in the Fifty  
 ‘ third Year of the Reign of King *George* the Third, intituled [*here*  
 ‘ *set forth the Title of this Act*] upon the Credit of the Rents and  
 ‘ Profits of the Premises demised or leased by virtue of the said Act,  
 ‘ do hereby transfer all my Right and Interest in and to the same  
 ‘ Sum, and Interest now due and arising thereon, unto  
 ‘ his or her Executors, Administrators and Assigns.  
 ‘ Dated the \_\_\_\_\_ Day of \_\_\_\_\_

And a Copy of every such Assignment, together with the Number or Numbers thereof, which shall be made in pursuance of this Act, and an Extract or Memorial of every Transfer thereof respectively, shall be entered in a Book to be kept for that Purpose by the Clerk to the said Commissioners for executing this Act, which Extract or Memorial shall specify and contain the Date, Names of the Parties and Sums of Money thereby transferred, to which Book any Person interested shall at all reasonable times have Access, and shall have free Liberty to inspect the same without Fee or Reward; and for the entering of every such Transfer the said Clerk shall be paid, by the Person to whom such Transfer shall be made, the Sum of Two Shillings and Six pence and no more; and every such Transfer after Entry thereof as aforesaid shall entitle the Person to whom the Transfer shall be made, and his or her Executors, Administrators and Assigns, to the Benefit of the Security thereby transferred, without any Registry thereof.

XLVII. And, in order that no Preference may be given to any of the Persons who shall have advanced and lent Money upon the Credit of the said Rents and Profits, and shall have taken Security by such Assignment thereof as aforesaid, be it further enacted, That the said Commissioners for executing this Act (if there shall be more such Creditors than one) shall cause the Number or Numbers of all Assignments granted, in case more than the Sum of One hundred Pounds shall be lent and advanced upon any such Assignment or Security as aforesaid, and then in force for securing the Principal Monies lent and advanced upon the Credit of the Rents and Profits, of which Part shall be then intended to be paid off, to be written upon distinct Pieces of Paper of an equal Size, each Piece of Paper to contain only One Number in respect of every One hundred Pounds so borrowed as aforesaid; and all such Papers shall be rolled up in the same Form as near as may be, and be put into a Box or Wheel,

Payment of Creditors provided for.

Wheel, and the Number or Numbers of the said Assignments shall be drawn separately out of the said Box or Wheel, by the Secretary to the said Commissioners for executing this Act, or the Person officiating as such; and after every such Ballot the said Commissioners for executing this Act shall cause Notice, signed by their Secretary or the Person officiating as such, to be given to or left at the last or usual Place of Abode of the Person or Persons who shall, as Holders of such Securities or Assignments which shall be so drawn, be entitled to the Money to be paid off, either in full or part Payment of their respective Assignments as aforesaid, pursuant to such Ballot; and where there is only one Creditor, to give Three Calendar Months Notice to such Creditor of the Intention of the said Commissioners to pay him or her as aforesaid; and every such Notice shall express the Sum to be paid off, together with the Interest due thereon, and that the same shall be paid on a Day and at a Place to be specified in such Notice, such Day not being sooner than Three Calendar Months after the Day of giving or leaving such Notice as aforesaid; and the Interest of the Principal Money to be so paid off, shall from and after the Day so specified cease and be no longer paid or payable, unless such Money shall be demanded pursuant to such Notice and not paid; but the Principal Money, in respect whereof such Notice shall be given, and the Interest thereof to the Day so specified, shall nevertheless be payable on Demand.

Power to borrow Money at lower Interest, to discharge Securities at a higher Rate.

XLVIII. Provided always, and be it enacted, That in case the said Commissioners for executing this Act, can at any time borrow or take up any Sum or Sums of Money at a lower Rate of Interest than the Assignments which shall be then in force shall bear, it shall and may be lawful to and for the said Commissioners, by and with such Consent and Approbation as aforesaid, from time to time to charge the said Rents and Profits in manner aforesaid with such Sum or Sums of Money as they shall think proper, and the Interest thereof, at such low Rate as aforesaid, and to pay off and discharge the Assignments bearing a higher Rate of Interest, according to the Regulations and Directions herein prescribed for paying off such Assignments.

Monies paid into Bank of England.

XLIX. Provided always, and be it further enacted, That all Sums of Money, Bills and Drafts, which shall be received by the said Commissioners for executing this Act, shall from time to time, within Two Days after the same shall have been received, or within Two Days after any Bill shall have been accepted, completed and perfected, if the same shall not be accepted, completed and perfected at the time it shall be received by the said Commissioners, be paid by them into the Hands of the Governor and Company of the Bank of England, for which the Receipt of the Cashier or Cashiers of the said Governor and Company shall be a sufficient Discharge; and all such Monies, Bills and Drafts so to be paid to the said Governor and Company shall from time to time be placed to an Account to be raised in the Books of the said Governor and Company, intituled 'The Account of the Commissioners of His Majesty's Woods, Forests and Land Revenues, being the New Street Account,' and shall be applied and disposed of by them the said Commissioners for executing this Act, for and towards the carrying of the several Purposes thereof into Execution.

L. Provided

L. Provided nevertheless, and be it further enacted, That it shall and may be lawful for the said Commissioners for executing this Act to reserve out of the Monies to be received by them by virtue of this Act, for casual and ordinary Payments for the Purposes thereof, in the Hands of any private Banker, to be nominated by any Writing under the Hand of the said Lord High Treasurer, or by the said Commissioners for executing the Office of Lord High Treasurer, or any Three or more of them, a Sum not exceeding Three Thousand Pounds, to be drawn for by the said Commissioners for executing this Act; and if at any time the Sum so reserved shall be reduced below Three thousand Pounds, then it shall be lawful for the Commissioners for executing this Act, from time to time, to make up the same to the Sum of Three thousand Pounds, by Drafts under their Hands upon the Funds to be deposited in the Hands of the Governor and Company of the Bank of *England* as aforesaid.

Commissioners may retain a Sum for Current Expences in Hands of a private Banker.

LI. And be it further enacted, That the Commissioners for executing this Act shall make all Payments required to be made, out of the Monies to be deposited in the Bank of *England*, by Drafts under their Hands on the said Bank, and shall specify on each such Draft the particular Service, Salary or other Charge, Purpose or Cause, for which such Draft shall be given; and every such Draft shall also have marked in the Margin thereof, a Figure corresponding to the Page in a Book to be kept by the said Commissioners, wherein Entry shall be made of the particular Service, Salary or other Charge, Purpose or Cause for which such Draft shall be given.

Payments by Drafts on Bank, to specify particular Service.

LII. And be it further enacted, That all Drafts drawn pursuant to the Directions of this Act, but not otherwise, shall be sufficient Authority to the Bank of *England* to pay the Amount thereof to the Persons mentioned in such Drafts, or to the Bearer of them; and that the said Commissioners for executing this Act, observing the Rules and Regulations hereby prescribed, shall not be answerable either collectively or individually for any Money which they the said Commissioners, or any or either of them, shall have so paid into the Bank of *England*; and that the Governor and Company of the Bank of *England* shall be answerable for all the Monies which shall be actually received by them from such Commissioners.

Drafts shall be Authority to Bank.

LIII. And be it further enacted, That the Commissioners for executing this Act shall, on or before the First Day of *July* in every Year, make a Report in Writing to the Lord High Treasurer, or Commissioners for executing the said Office of Lord High Treasurer, of the Progress made in the repairing, altering, pulling down and rebuilding of any Houses, Buildings and Places, or in the laying out any vacant Ground, or the forming or making any other Improvements under or by virtue of this Act, together with such Observations and Suggestions for the better effecting the Purposes of this Act, as the said Commissioners for executing this Act shall from time to time think requisite and necessary.

Annual Report to Treasury.

LIV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners for executing this Act, to take down, take away, remove, alter or regulate, in such manner as they shall from time to time judge proper, all Signs or other Emblems used to denote the Trade, Occupation or Calling of any Person or Persons, and all Sign Irons, Sign Posts, and other Posts, Sheds, Penthouses, Spouts, Gutters, Steps, Stairs, Bow and other projecting

Power to remove Projections and Encroachments.

ing Windows, Window Shutters, Palisades and other Encroachments, Projections and Annoyances, belonging or which shall be hereafter affixed or belong to any House or Houses or other Buildings, and which do and shall in their Judgment obstruct the free and commodious Passage along the Carriage or Foot Ways of any of the Streets, Squares and Places to be made, widened, altered, stopped up and improved by virtue of this Act, and also to cause the Water to be conveyed from the Roofs, Cornices, Eaves and Penthouses, of or belonging to such Houses or other Buildings respectively, by proper Pipes or Trunks, to be affixed to the Sides of such Houses or other Buildings respectively; and that the Costs, Charges and Expences attending the taking down, taking away, removing, altering or regulating such Signs, Sign Irons, Sign Posts and other Posts, Sheds, Penthouses, Spouts, Gutters, Steps, Stairs, Bow or other Projections, Windows, Window Shutters, Palisades and other Encroachments, Projections and Annoyances, or any of them, and of making and affixing such Pipes and Trunks as aforesaid, shall be borne and defrayed out of the Money to be raised by virtue of this Act: Provided always, That if the said Commissioners for executing this Act, shall cause to be taken up or removed any Posts or other Guards placed for the Protection of any House or Building, forming a Corner of any Street or Lane, from Injury by Carriages, they the said Commissioners shall, by some proper ways or means, sufficiently guard or protect the same House or Building from Damage as aforesaid; and in case any Damage shall at any time happen to any such House, by reason of taking up or removing any such Posts or other Guards by the said Commissioners, they the said Commissioners shall from time to time make good such Damage out of the Monies to be raised by virtue of this Act.

Corners of  
Buildings.

Future En-  
croachments and  
Projections.

LV. And be it further enacted, That if any Sign, Sign Iron, Sign Post, or other Post, Shed, Penthouse, Step, Stair, Bow Window or other projecting Window, Window Shutter, Palisade or any other Encroachment, Projection or Annoyance, shall be made, erected or built against, or in the Front or Outside of any House or other Building within or adjoining to any Street, Square or Place to be made, widened, altered, stopped up or improved by virtue of this Act, so as to obstruct the free and commodious Passage along the Carriage or Foot Ways of the same, then and in every such case the Owner or Owners of any such House or Building, Sign, Sign Iron, Sign Post or other Post, Shed, Penthouse, Step, Stair, Bow or other projecting Window, Window Shutter, Palisade or other Projection, Encroachment or Annoyance, which shall be so made, erected or built as aforesaid, shall, for every such Offence, forfeit and pay any Sum not exceeding Twenty Shillings a Day for every Day such House or other Building, Sign, Sign Iron, Sign Post or other Post, Shed, Penthouse, Step, Stair, Bow or other projecting Window, Window Shutter, Palisade or other Encroachment, Projection or Annoyance, shall continue in such Street as is hereinbefore provided against; and it shall and may be lawful to and for the said Commissioners for executing this Act (whether any such Penalties or Forfeitures shall be levied or not) to cause all such Signs, Sign Irons, Sign Posts, Sheds, Penthouses, Steps, Stairs, Bow or other projecting Windows, Window Shutters, Palisades and other Encroachments,

Penalty.

ments, Projections and Annoyances, or any of them, to be taken down, removed and taken away.

LVI. And be it further enacted, That in all Actions, Suits, Bills, Plaints, Indictments, Prosecutions, Trials or Proceedings at Law, to be had, brought, prosecuted or defended in pursuance of this Act, the said Commissioners for executing this Act may sue and be sued in the Name of their Secretary appointed for the Purposes of this Act, or the Person officiating as such; and that no Action or Prosecution to be brought, commenced or defended by or against the said Commissioners, or any of them, by virtue of this Act, in the Name of their Secretary or the Person officiating as such, shall abate or be discontinued by the Death or Removal of such Secretary, or the Person officiating as such, or by any Act of such Secretary, or the Person officiating as such, without the Consent of the said Commissioners; but the Secretary for the time being to the said Commissioners, or the Person officiating as such, shall always be deemed the Plaintiff or Defendant in such Action, as the case shall be: Provided always, that any such Secretary, or the Person officiating as such, in whole Name any Action or Suit shall be commenced, prosecuted or defended in pursuance of this Act, shall always be re-imbursed and paid out of the Monies to be raised by virtue of this Act, all such Costs and Charges as by the Event of any such Proceedings he shall be put unto or become chargeable with by reason of his being so made Plaintiff or Defendant therein, and also the Costs and Charges of prosecuting any Indictment or Indictments, or other Proceedings whatsoever which shall or may be commenced or prosecuted against any Person or Persons whomsoever by the Order of the said Commissioners.

Commissioners may sue and be sued in Name of Secretary.

LVII. And be it further enacted, that nothing in this Act, or in any Mortgage, Contract or Lease hereby authorized to be entered into or made by the said Commissioners for executing this Act, or any of them, shall extend to charge the Persons or Person of all or any of the Commissioners executing any such Mortgage, Contract or Lease, or the Heirs, Executors or Administrators of the same Commissioners, or any of them, or their or any of their own proper Lands and Tenements, Goods or Chattels, with or for the Performance of all or any of the Covenants, Conditions or Agreements in the same Mortgage, Contract or Lease contained on the Part of the same Commissioners or any of them; but the Amount of all Costs, Charges, Damages and Expences, which shall or may be recovered in any Suit or Suits at Law or Equity, against them the said Commissioners, or any of them, or against their or any of their Heirs, Executors or Administrators, for or by reason or means of such last mentioned Mortgage, Contract or Lease, or the Covenants, Conditions or Agreements therein contained; and also all the Costs, Charges, Damages and Expences which the said Commissioners shall bear, pay, expend or be put to, or which shall be occasioned to them for or by reason or means of any such Mortgage, Contract or Agreement, or any Covenant, Condition or Agreement therein contained, or any Action or Actions, Suit or Suits, to be brought or prosecuted by or against them or any of them thereupon, shall respectively be paid and discharged by and out of the Monies to be raised, arise or be received by virtue of this Act.

Commissioners exempted from Personal Responsibility.

LVIII. And

Mortgages and other Deeds exempted from Stamp Duty.

LVIII. And be it further enacted, That no Mortgage or other Security, Contract, Conveyance, Deed of Exchange, Lease or other Instrument, which shall be made, granted, entered into or executed by the Commissioners for executing this Act, under any of the Powers or Authorities hereby granted, nor any Contracts or Agreements, Deeds or Conveyances, which shall be made, entered into or executed by any other Person or Persons to or with them, for any of the Purposes of this Act, shall be subject or liable to any Stamp Duty whatsoever imposed by any Act or Acts of Parliament now in force, nor to any Stamp Duty to be imposed by any future Act or Acts of Parliament, unless such Instruments be specially subjected and specifically charged in and by such future Act or Acts of Parliament.

Deeds enrolled in Office of Auditor of Land Revenues.

LIX. And be it further enacted, That every Contract, Mortgage or other Security, Conveyance, Lease or Deed, whereby any of the Houses, Buildings, Lands, Tenements or Hereditaments hereby authorized to be mortgaged, purchased, sold, exchanged, leased or demised, shall be so purchased or agreed to be purchased, or shall be so sold, exchanged, leased or demised, shall be enrolled in the Office of the Auditor of His Majesty's Land Revenues, on Payment of the usual Fees for such Enrolment, and a Minute or Docket thereof shall be entered and preserved in the Office of the said Commissioners of His Majesty's Woods, Forests and Land Revenues; and that every such Contract, Mortgage or other Security, Conveyance, Lease or Deed when so enrolled and entered, shall, without any other Enrolment or Registry thereof, be as good and available in Law, and of the like force and effect, in all respects as if the same had been enrolled in any of His Majesty's Courts at *Westminster*, or as if a Memorial had been entered or registered in the Office appointed for registering Deeds and other Conveyances of Lands and Tenements in the County of *Middlesex*; any Act of Parliament, Law, Practice or Usage to the contrary in any wise notwithstanding.

Materials, &c. vested in Commissioners.

LX. And be it further enacted, That the Right and Property of all and every the Gates, Bars, Posts, Rails, Sheds, Carts, Engines, Materials for Paving, Implements, Utensils and Things whatsoever, which may be erected and set up or provided by the said Commissioners for executing this Act, or by their Order, or otherwise belonging to and used by them for carrying the Purposes of this Act into Execution, shall be vested in the said Commissioners; and they are hereby authorized and empowered to dispose of and apply the same for the Purposes of this Act, as they shall think fit, and to bring any Action or Actions, and to prefer and prosecute with Effect any Bill or Bills of Indictment against any Person or Persons who shall steal, secrete, injure, damage or dispose of the same, or any of them respectively, to their own Use and Uses, or shall disturb them the said Commissioners or their Officers, or other Persons acting under them, in the Possession thereof.

Commissioners to cause Actions to be brought for Breach of Contracts.

LXI. And be it further enacted, That in case all or any of the Works to be done in pursuance of this Act shall not be well and sufficiently performed according to the Intent and Meaning of any Contract or Contracts to be entered into by the said Commissioners for executing this Act, for the Purposes thereof, or shall not be completed within the time or times specified in such Contract or Contracts, then and in every such case the said Commissioners may cause

cause an Action to be brought in any of His Majesty's Courts of Law at *Westminster* against any such Contractor or Contractors, for any Penalty contained in his Contract, and on Proof of the signing of the said Contract and Non-performance thereof at the time or times for that Purpose to be therein mentioned, the said Commissioners shall be entitled to and shall recover the full Penalty contained in any such Contract; any Law, Custom or Usage to the contrary in any wise notwithstanding; which Penalty, when recovered, shall be applied to the Purposes of this Act: Provided always, that it shall be lawful for the said Commissioners, if they think fit, but with such Consent and Approbation as aforesaid, to compound and agree with any such Contractor, for any Penalty incurred by him for the Breach or Non-performance of any such Contract for such Sum of Money as the said Commissioners shall think proper, not being less than the Injury or Damage sustained by the Breach or Non-performance of such Contract, and all Costs, Charges and Expences which shall be occasioned thereby.

Commissioners  
may compound  
for Penalties for  
Breach of Con-  
tracts.

LXII. And be it further enacted, That if any Person or Persons shall assault, interrupt, hinder or disturb any Person or Persons whomsoever, employed by the said Commissioners, in the Execution of any Part of this Act, every such Person shall, for every such Offence, forfeit and pay any Sum not exceeding Ten Pounds.

Assaulting  
Officers, &c.

Penalty.  
Securing  
Offenders.

LXIII. And be it further enacted, That if any Person or Persons shall wilfully break, throw down, deface or damage any of the Bars, Posts, Rails, Sheds, Carts, Engines, Materials for Paving, Implements, Utensils or other Things whatsoever which shall be the Property of or used by or under the Orders or Directions of the said Commissioners for executing this Act, in making and completing, or for the Purposes of the said Alterations and Improvements, it shall be lawful for any Person or Persons whomsoever who shall see such Offence committed, to apprehend, and also for any other Person or Persons to assist in apprehending the Offender or Offenders, and by the Authority of this Act, and without any other Warrant, to cause him, her or them to be conveyed before some Justice of the Peace for the said County of *Middlesex*, and such Justice shall proceed to examine upon Oath any Witnesses or Witnesses who shall appear or be produced to give Information touching such Offence; and if the Party or Parties accused shall be convicted of all or any of the Offences aforesaid, either by his, her or their own Confession, or upon such Information as aforesaid, he, she or they so convicted shall forfeit and pay for every such Offence, to the said Commissioners for executing this Act, a Sum not exceeding the Sum of Five Pounds, and shall also make Satisfaction to the said Commissioners, or to such Person or Persons as they shall appoint to receive the same, for the Damage so by him, her or them done as aforesaid; and in case such Offender or Offenders shall not, upon Conviction, pay such Forfeitures and make Satisfaction as aforesaid, such Justices are hereby required to commit him, her or them to the nearest Bridewell or House of Correction for the said County of *Middlesex*, there to be kept to Hard Labour for any Space of time not exceeding Three Calendar Months; and such Offender or Offenders shall not be discharged before the Expiration of the time for which he, she or they shall have been so committed, unless such Penalty or Forfeiture and Satisfaction shall be sooner paid or given.

Penalty.

Imprisonment.

Penalties and Forfeitures how recovered and applied.

LXIV. And be it further enacted, That all Penalties, Forfeitures and Fines hereby inflicted or authorized to be imposed (if the manner of levying and recovering is not herein otherwise directed) shall upon due Proof of the Offences respectively before any Two or more Justices of the Peace for the County or Place wherein the Offenders shall be or reside, or the Offences shall be committed, either by the Confession of the Party or Parties offending, or by the Oath of One or more Witnesses or Witnesses, be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hands and Seals of such Justices, which Warrant such Justices are hereby empowered to grant for those Purposes; and the Overplus, after such Penalties, Forfeitures and Fines, and the Charges of such Distress and Sale, are recovered and deducted, shall be returned upon Demand to the Owner or Owners of such Goods and Chattels; and the Penalties, Forfeitures and Fines, when paid or levied (if not otherwise directed to be applied by this Act) shall be from time to time applied for the Purposes of this Act; and in case sufficient Distress shall not be found, and such Penalties and Forfeitures shall not be forthwith paid, it shall be lawful for any such Justices of the Peace as aforesaid, and they are hereby authorized and required, by Warrant or Warrants under their Hands and Seals, to cause such Offender or Offenders to be committed to the Common Gaol of the County or Place wherein the Offence shall be committed, there to remain without Bail or Mainprize for any Term not exceeding Three Calendar Months, unless such Penalties, Forfeitures and Fines, and all reasonable Charges shall be sooner paid or satisfied.

Imprisonment.

Informers Part of Penalties.

LXV. Provided nevertheless, and be it further enacted, That it shall be lawful for the said Justices from time to time, if they shall see cause, to adjudge that the said Commissioners for executing this Act shall pay and apply such Part of the said Penalties and Forfeitures, or any of them, as they the said Justices shall think fit, to and for the Use of the Informer or Informers, or any Person or Persons (not being a Witness or Witnesses) taking, seizing or assisting therein, or any of them; any thing herein contained to the contrary notwithstanding.

LXVI. And, for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That all and every the Justice or Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the same Effect, as the case shall happen; that is to say,

Form of Conviction.

‘ BE it remembered, That on the Day of  
in the Year of our Lord  
A. B is convicted before C. D. One [or  
Two, as the case may be,] of the Justices of the Peace for the County  
of Middlesex, [specifying the Offence, and Time and Place when and  
where the same was committed, as the case may be,] contrary to the  
Form of the Statute made in the Fifty third Year of the Reign of  
His Majesty King George the Third, intituled An Act [here set  
forth the Title of this Act]; and I [or, we] do adjudge that he  
hath therefore forfeited the Sum of [here insert  
the Penalty,] or shall be committed to [Place of Imprisonment]  
for the Space of [Time of Imprisonment]. Given under my Hand  
& and



‘ and Seal [ar, our Hands and Seals] the Day and Year first above  
‘ written.’

LXVII. Provided always, and be it enacted, That the said Commissioners for executing this Act shall from time to time render and give an Account to the said Lord High Treasurer, or to the said Commissioners for executing the said Office of Lord High Treasurer, of the Amount of all Monies which shall be raised or received by the said Commissioners for executing this Act, by Sale or Mortgage, or by the Rents and Profits of any Houses, Buildings, Lands, Tenements, Rents or Hereditaments hereby authorized to be mortgaged, sold, demised or let, or by the Sale of the Materials of any Houses or Buildings to be pulled down and sold as aforesaid, or by any Penalties, Forfeitures or Fines hereby inflicted, or authorized to be imposed, and directed to be paid to the said Commissioners, and of all other Monies which shall be raised or received by them under or by virtue of the Authority of this Act, and of the Application of all such Monies for the Purposes of this Act; and the said Lord High Treasurer, or Commissioners for executing the said Office of Lord High Treasurer, or any Three of them, shall be and he and they is and are hereby authorized and required to examine or cause to be examined every such Account, and in case they shall approve thereof, to signify such their Approbation at the Foot of such Account, signed by the said Lord High Treasurer, or by the said Commissioners for executing the said Office of Lord High Treasurer, or any Three or more of them, and to transmit and return the same so approved, to the said Commissioners for executing this Act; and every Account so approved and signed as aforesaid, shall be a full and sufficient Discharge to the said Commissioners for executing this Act, from or on Account of all such Sums of Money as shall be mentioned in such Account, and for the Expenditure and Application thereof; and the said Commissioners for executing this Act shall not be compelled or compellable to give or render any further or other Account of any such Money, or of the Expenditure or Application thereof; any Law, Usage or Custom to the contrary notwithstanding.

Commissioners  
to render an  
Account to  
Treasury.

LXVIII. And be it further enacted, That when any Distress shall be made 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 or want of Form in the Summons, Conviction, Warrant of Distress, or in the Appointment of the Collector or Collectors, Surveyor or Surveyors, or in any Proceeding relating thereto; nor shall the said Party or Parties be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall happen to be done in making the said Distress, but the Party or Parties aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage which he, she or they shall have sustained thereby, with usual Costs, and no more, in an Action of Trespass or on the Case, at the Election of the Party or Parties so aggrieved.

Distress not un-  
lawful for want  
of Form.

LXIX. And be it further enacted, That if any Person or Persons shall think himself, herself or themselves aggrieved by any thing done in pursuance of this Act, and for which no particular mode of Relief hath been already appointed, such Person or Persons may appeal to the Justices of the Peace at their General Quarter Sessions to be holden for the said County of *Middlesex*, or the City or Liberty of

Appeal.

Penalties may  
be mitigated.

Imprisonment.

Perjury.

*Westminster* (as the case may be), within Three Calendar Months next after such cause of Complaint shall arise, unless the same shall arise within Ten Days preceding such Sessions, in which case such Appeal may be brought at the Second Sessions after such case shall arise; and the said Justices are hereby authorized and required to take Cognizance thereof, and to hear and determine such Complaint or Complaints; and shall and may, if they see Cause, by Order of such Session, mitigate at their Discretion all or any Part of the Penalties or Forfeitures laid upon or incurred by the Party or Parties complaining, or vacate or set aside the Conviction or Convictions, and let the Parties at Liberty, or otherwise may ratify or confirm the same, with such Costs as to them in their Discretion shall seem reasonable; and to levy by their Order or Warrant, such Costs so awarded, by Distress and Sale of the Goods and Chattels of the Person or Persons who shall refuse to pay the same; and for want of sufficient Distress to commit such Person or Persons to some Common Gaol in or for the said County of *Middlesex*, for any time not exceeding Three Calendar Months, or until Payment of such Costs: Provided always, that the Person or Persons so appealing as aforesaid shall, and he, she or they are hereby required to give Notice in Writing to the Secretary to the said Commissioners for executing this Act, or the Person officiating as such, of such his, her or their Intention of bringing or prosecuting such Appeal Ten Days before the said Quarter Sessions, and shall, before such Notice given, enter into a Recognizance before One or more Justice or Justices of the Peace for the said County of *Middlesex*, or City or Liberty of *Westminster*, with Two sufficient Sureties, in the Sum of Fifty Pounds each, with Condition to prosecute such Appeal, and to pay all Costs, in case such Appeal be determined against the Party or Parties so appealing.

LXX. And be it further enacted, That all Persons who, in any Examination to be taken upon Oath by virtue of this Act, shall wilfully give false Evidence, or otherwise forswear themselves before any such Jury as aforesaid, or before any Justice of the Peace acting as such in the Execution of this Act, shall and may be prosecuted for the same; and upon Conviction thereof, shall be subject and liable to such and the same Pains and Penalties as Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable to.

LXXI. And whereas His Majesty is seized of or entitled to certain Pieces or Plots of Ground, situate in the said Parish of *Saint Mary le Bone* and in the Parish of *Saint Pancras* in the County of *Middlesex*, containing in the Whole Five hundred and forty-three Acres, lying to the North of the Line of the said intended new Street; and which Park abuts in Part towards the North upon an Estate of the Duke of *Portland* called *The Primrose Hill Estate*, and towards the South upon *Portland Place* and other Streets forming other Parts of the said Duke's Estates: And whereas certain Circusses, Streets, Squares, Terraces and other public Passages and Places are now forming and making, and others are about to be formed and made in the said Park called *Mary le Bone Park*, and the immediate Communication between the Line of the said intended New Street and the said Park, is at present intercepted by a Fence or Railing placed across the said Street called *Portland Place*, from East to West, at the Northern Extremity thereof, immediately adjoining the Southern Boundary of the said Park: And  
 ' whereas

‘ whereas the public Convenience would be much promoted, if a direct Communication was opened from the North End of the said intended new Street through the said Street called *Portland Place* into the said Park, and if a Communication were also opened from a certain Street called *Harley Street* into the said Park; and the said Duke hath consented that such Communications shall be opened and made under the Restrictions, Conditions and Regulations hereinafter contained;’ Be it therefore enacted, That Iron Gates shall be forthwith erected, under the Directions of the Commissioners of His Majesty’s Woods, Forests and Land Revenues, for the time being, at the Expence of The Crown, between the said Street called *Portland Place*, and the *New Road*, and between the said Street called *Harley Street*, and the *New Road* respectively; and that Lodges shall be erected near or adjoining to the said Gates, and such Lodges shall be so constructed as not to annoy or incommode the Tenants or Inhabitants of the adjacent Buildings by their Smoke or otherwise; and that Porters to be nominated by the said Commissioners of His Majesty’s Woods, Forests and Land Revenues, for the time being, by and with the Content and Approbation of the Lords Commissioners of His Majesty’s Treasury, for the time being, or any Three or more of them, with proper or adequate Salaries, to be paid out of the Land Revenues of The Crown, shall be from time to time provided and appointed to attend the said Gates by Day and others by Night; and that when and as soon as such Gates and Lodges are erected, and such Porters appointed to attend them, as above mentioned, and the Roads round the Northern and Eastern Boundary of the said Park shall be completed and opened, the several Fences or Railings now placed across the said Streets called *Portland Place* and *Harley Street* respectively, shall be removed, and that from thenceforth for ever thereafter the said Street called *Portland Place*, and also the said Street called *Harley Street*, shall be open at all times to all His Majesty’s Subjects, to pass and repass along the same, to and from the said intended new Street into and from the said Park, on Foot and on Horseback; and that all Carriages and Cattle (save and except Stage Coaches, Mail Coaches, Hearses, Waggon, Carts, Drays, or other Vehicles for the Carriage of Goods, Merchandize, Manure, Soil or other Articles, or Oxen, Cows, Horses or Sheep in any Drove or Drovers,) shall have the like Liberty to pass and repass at all times along the said last mentioned Streets.

LXXII. And be it further enacted, That it shall be the Duty of the said Porters so to be appointed as aforesaid, to prevent the passing or repassing of any of the said excepted Carriages, or other Things hereinbefore excepted, through either of the said Gates; and that any such Porters shall be removed from time to time in case any Complaint of Neglect of Duty shall be alleged against them by the said Duke or his Heirs; or if the said Commissioners or the said Commissioners of the Treasury shall think fit to remove them for any other Cause, and other proper Persons shall be thereupon appointed in manner aforesaid in their Stead.

LXXIII. And be it further enacted, That the Road now forming and granted to the Vestrymen of *Saint Mary le Bone*, round the Western Side of the said Park called *Mary le Bone Park*, shall be continued and formed under the Direction of the Commissioners of His Majesty’s Woods, Forests and Land Revenues, for the time being,

Portland Place and Harley Street opened under certain Regulations and Restrictions.

Porters removed for neglect of Duty, or for other Cause.

Roads made in Mary le Bone Park.

being, round the North Boundary of the said Park, adjacent to the Southern Boundary of the said Duke's Estate called *Primrose Hill*, so as to join the Road or intended Road called *Britannia Lane*, leading into the *Hampstead Road* at the Point where such Lane adjoins or is intended to join the said Park ; and that the Road now forming in Continuation of *Great Portland Street*, along the East Side of the said Park, shall also be continued and formed and completed by and under the Direction of the said last mentioned Commissioners, of the same Width as the said Street, until it meets the said Road so to be formed along the Northern Boundary of the said Park at its said Entrance into *Britannia Lane* as aforesaid ; and the same shall become Public Roads.

Duke of Portland and his Tenants to have Use of such Roads.

LXXIV. And be it further enacted, That the said Duke and his Tenants, and all other Persons whomsoever, shall at all times have such and the like Access to and Use of the Roads to be made in and through the said Park as are hereinbefore provided and given to the Public, along the said Streets called *Portland Place* and *Harley Street* aforesaid, and under such and the like Regulations and Restrictions as are hereinbefore provided in regard thereto.

Expence of making Roads.

LXXV. And be it further enacted, That that Part of the said Road which is to be made along the Northern Part of the said Park from the Burial Ground towards the East, so far as it extends along or opposite to the Estate of the said Duke called *Primrose Hill*, shall be made and formed at the joint Expence of The Crown and of the said Duke and his Heirs, or the Owners or Proprietors of the said *Primrose Hill Estate* for the time being, and that the Remainder of the said Roads shall be made and formed at the Expence of The Crown.

Avenues or Openings preserved.

LXXVI. And be it further enacted, That an Avenue or Opening extending One hundred and twenty five Feet in Width from East to West in the Northern Boundary of and through the said Park opposite to the Center or thereabouts of the said Estate called *Primrose Hill Estate*, shall be at all times and for ever hereafter preserved and kept uninterrupted by Buildings, Erections, Plantations or other Obstructions to the View of any kind, and that a like or corresponding Opening of One hundred and twenty five Feet in Width immediately opposite thereto, and extending from East to West, through the said Duke's Estate called *The Primrose Hill Estate*, shall at all times for ever hereafter be preserved and in like manner kept uninterrupted by any Buildings, Erections, Plantations or other Obstructions to the View of any kind, and that no close Fence shall be hereafter set up on either Estate to obstruct the said Opening.

Gates and Lodges erected.

LXXVII. And, to the end that a Communication may be opened and at all times hereafter preserved between the Estate of the said Duke, situate to the South of the said New Road, and the said Estate called *The Primrose Hill Estate*, through the said Park, under such and the like Restrictions as are hereinbefore established, in regard to the Communication so as aforesaid, to be opened between the said intended New Street and the said Park, be it further enacted, That Gates and Lodges shall be erected, and at all times hereafter kept up and preserved under the Direction of the Commissioners of His Majesty's Woods, Forests and Land Revenues on the North Side of the said New Road, opposite to those so as aforesaid to be erected between *Portland Place* and the said New Road ; and that other Gates  
and

and Lodges shall be in like manner erected, and at all times hereafter preserved under the like Direction of the said Commissioners, at the Northern Boundary of the said Park, across the Avenue or Opening so to be left as aforesaid, upon the Line which divides the said Park from the said intended public Road adjoining the said *Primrose Hill* Estate, and that proper Porters shall be provided to attend all the said Gates at all times; and that a Bridge shall be erected over and across the intended Canal called *The Regent's Canal*, at the Point at which it will intersect the said Avenue or Opening, of sufficient Width to admit the Passage of Carriages; and that all such Gates, Lodges and Bridge shall be erected and made, and for ever thereafter maintained and supported, and the said Porters shall be provided and paid by and at the Expence of The Crown; and that the said Duke and his Tenants, and all other Persons whomsoever, shall at all times have such and the like Access by and through the said Gates into, through and from the said Park as is hereinbefore provided, and given to the Public, from the said intended New Street through *Portland Place* and *Harley Street* aforesaid, into and from the said Park, by and through the said Gates so to be erected between the said last mentioned Streets and the said Road called *The New Road* as aforesaid; and that such Gates, Lodges and Bridge shall be erected, and such Porters appointed to attend the said Gates, before the Fences or Railings now placed across the said Streets called *Portland Place* and *Harley Street* shall be removed.

LXXVIII. And be it further enacted, That all the Houses and Buildings to be erected in the said Park called *Mary le Bone Park*, in Continuation Northward of the Streets called *Portland Place* and *Harley Street*, shall be of as high a Rate or Class of Building, and as good in all respects as the Houses or Buildings now erected in the said Streets called *Portland Place* and *Harley Street* respectively are; and that no new Building whatsoever shall be erected in *Harley Field*, or in the said Park, in the Line of either of the said Streets called *Portland Place* and *Harley Street*, so as to interrupt the Passage of the said intended Streets, or the View along the same.

LXXIX. And whereas the Houses, Streets, Squares, Passages and Places through which the proposed Alterations and Improvements are to be made and carried by virtue of this Act, are at present drained by means of a Sewer, called *The King's Scholars' Pond Sewer*; and such Sewer is incapable of supplying a proper Drainage for any additional Buildings: And whereas a great Increase of Houses, Streets and Buildings is now making, and is about to be made upon the Estate of The Crown, called *Mary le Bone Park*, all which will have no other Drainage than such insufficient Sewer, unless a new Sewer be constructed and made to receive such additional Drainage: And whereas the principal Street to be made in pursuance of this Act will communicate with the said Park, and will afford Facility for the making a Sewer to extend from the said Park to *Charing Cross* and from thence to the River *Thames*; and it will tend to relieve the said insufficient Drain, and be of great public Utility, if a new Sewer be made to drain the said Park, and the Houses and Buildings erecting and to be erected therein, and also the Streets, Squares, Passages and Places described in the aforesaid Map or Plan, and intended to be made, formed, erected and improved in pursuance of this Act; but inasmuch as

Houses in Continuation of *Portland Place* and *Harley Street*, Rate of.

' such new Drain cannot be made without great Expence, and will  
 ' principally be appropriated to the draining of the Estate of The  
 ' Crown, it is expedient that the Expence of making and repairing  
 ' such new Sewer should be defrayed in manner hereinafter mentioned,  
 ' and that the same should be put under the Survey, Direction and  
 ' Management of Persons to be authorized and appointed in manner  
 ' hereinafter mentioned;' Be it therefore enacted, That a new Sewer,  
 Drain or Watercourse, to extend from the South End of *Mary le Bone*  
*Park* at or near *Portland Place*, under the Street called *Portland*  
*Place*, along the whole Line of the principal New Street to be made  
 and formed in pursuance of this Act unto *Charing Cross*, and from  
 thence along the public Street to *Scotland Yard*, into the River  
*Thames*, at a Place at or near the Lime Wharf, shall be formed by  
 such Person or Persons as the Commissioners for executing this Act  
 shall from time to time authorize and appoint by any Writing or  
 Writings under their Hands and Seals; which said Persons so to be  
 authorized and appointed as aforesaid, or any Three or more of them,  
 shall have full Power and Authority to make and form any Drains,  
 Watercourses or Communications from any Part or Parts of the said  
*Park* called *Mary le Bone Park*, or from any Houses or Buildings  
 erected or to be erected therein; and also from any of the Streets,  
 Squares, Ways, Passages and Places through which any of the pro-  
 posed Alterations or Improvements are intended to be made in pur-  
 suance of this Act, and which are mentioned and described in the  
 said Map or Plan, or from any Houses or Buildings erected or to  
 be erected within the Limits mentioned and described on the said  
 Map or Plan, or of the Deviation thereupon hereby allowed to  
 carry off or drain the Water from all or any of the said Houses,  
 Buildings, Streets or Places into the said Principal or Common  
 Sewer to be made as aforesaid, and for those Purposes or any of them,  
 to stop up, divert or alter any Sewers, Drains, Tunnels or Water-  
 courses, which may be found in making the said new Sewer, and  
 which may cross the Line of such new Sewer, or which may (in the  
 Judgment of the Persons so to be authorized and appointed as aforesaid,  
 or any Three or more of them) be necessary or expedient to be  
 stopped up, diverted or altered for the Purposes aforesaid or any of  
 them: Provided always, that all Damage which may be done by  
 means of stopping up, diverting or altering any such Drains, Tunnels  
 or Watercourses, shall be made good by the Commissioners under  
 this Act out of the Monies raised by virtue thereof.

Power to make  
a new Sewer.

Proviso.

Commissioners  
empowered to  
borrow Money  
for making  
Sewers.

LXXX. And, in order to enable the said Persons so to be autho-  
 rized and appointed as aforesaid, or any Three or more of them, to  
 form and make such new Sewers, Watercourses and Drains, and to  
 keep the same in Repair, be it further enacted, That it shall and  
 may be lawful to and for the said Commissioners for executing this  
 Act, by and with the Consent and Approbation of the said Lord  
 High Treasurer, or of the Commissioners for executing the said  
 Office of the Lord High Treasurer, or any Three or more of them,  
 and notwithstanding any Provisions, Restrictions or Clauses contained  
 in any Act or Acts of Parliament relating to His Majesty's Land  
 Revenue, to borrow and take up at Interest, from time to time, such  
 Sum or Sums of Money, not exceeding in the Whole the Sum of One  
 hundred thousand Pounds, over and above any other Sum or Sums of  
 Money hereby authorized to be so borrowed and taken up, which  
 they

they the said Commissioners, with such Consent and Approbation as aforesaid, shall judge necessary and expedient for those Purposes; and for securing the Repayment thereof, in such manner and form and by such means as hereinbefore mentioned, to grant, demise or mortgage any Part or Parts which to them shall seem fit, of the Houses, Buildings, Lands, Tenements and Hereditaments hereinbefore authorized to be mortgaged for raising Money for the other Purposes of this Act, so as the same Premises be not included in any prior subsisting Mortgage which shall be made in pursuance of this Act, and to issue and apply the Money so to be raised from time to time, as they shall see Occasion, in or towards defraying the Expences of forming, making and repairing such new Sewers, Drains and Wydraughts.

LXXXI. And be it further enacted, That, in order to repay the Monies so to be raised and applied, and the Interest of the Monies so to be borrowed as last aforesaid, and to defray the Expences of making and keeping in Repair such new Sewers, Drains and Wydraughts as aforesaid, it shall and may be lawful to and for the said Persons so to be authorized and appointed as aforesaid, or any Three or more of them, to make any Rate or Rates, Assessment or Assessments, by an equal Pound Rate from time to time, as they shall see Occasion, upon the Owners, Proprietors or Occupiers of any Houses, Buildings or Lands, situate in *Mary le Bone Park* aforesaid, or in any of the Streets, Squares, Ways, Passages or Places within the Limits mentioned and described in the said Map or Plan and Book of Reference, or any such Deviation therefrom as aforesaid, who shall use the said intended new Sewers, Drains or Wydraughts, and by any Precepts or Warrants under their Hands to authorize or empower any Person or Persons to collect the same from time to time, and to make or allow to every such Collector a reasonable Compensation or Salary for his Trouble, out of such Rates or Assessments.

Power to make Rates to defray Expences of Sewers.

LXXXII. Provided nevertheless, and be it further enacted, That no Person paying to the Rate or Assessment directed to be raised and collected by virtue of this Act, shall, during the Continuance of the Payment of such Rate or Assessment, be subject or liable to the Payment of any other Sewer Rate or Assessment, in respect of the Premises for which he or she shall be rated or assessed under or by virtue of this Act.

Rated under Act, not subject to any other Sewers' Rate.

LXXXIII. Provided nevertheless, and be it enacted, That nothing herein contained shall extend or be construed to prevent the present Commissioners of Sewers, so long as the present Commission shall continue in force, from assessing upon or collecting from the Owners, Proprietors or Occupiers of any Houses, Buildings or Lands within their several Districts (other than and except those situate in *Mary le Bone Park* aforesaid, or in any of the Streets, Squares, Ways, Passages or Places within the Limits mentioned and described in the said Map or Plan and Book of Reference, or of the Deviation hereby allowed) all such Rates or Assessments as might or could have been assessed upon or collected from any such Owners, Proprietors or Occupiers, if the Drainage of such Houses, Buildings or Lands had continued to be performed by the present Commissioners of Sewers, notwithstanding such Drainage may hereafter be received into, or wholly or partly performed by the said intended new Sewer.

Rates collected from Houses not within Park, or new Street by present Commissioners although Drainage performed by new Sewer.

LXXXIV. And be it further enacted, That in case any Person or Persons who shall be liable to the Payment of any such Rate or Assessment

Rates levied by Districts.

Assessment as aforesaid, shall neglect or refuse to pay the same to any Collector to be appointed as aforesaid, for the Space of Ten Days after personal Demand thereof, or after Demand made by Writing, and left at the usual or last Abode of such Person or Persons, it shall and may be lawful for any Justice of the Peace for the County of *Middlesex* or the City and Liberty of *Westminster* (as the case may be), upon Proof made before him of any such Demand and Nonpayment, and he is hereby required, by Warrant under his Hand and Seal, to authorize and direct the said Collector, to levy such Rate or Assessment, or so much thereof as shall be in Arrear, together with the Costs and Charges attending the levying the same (so to be ascertained by such Justice) by Distress and Sale of the Goods and Chattels of the Person or Persons so refusing or neglecting to pay the same as aforesaid, rendering the Overplus thereof (if any) to the Owner of such Goods and Chattels on Demand.

New Sewer under Survey of Persons appointed for making same.

LXXXV. And be it further enacted, That all the Sewers, Drains and Watercourses to be hereafter made within the said Park called *Mary le Bone Park* (save and except the said Sewer called *King's Scholars' Pond Sewer*), or within any of the Limits described in the said intended Map or Plan, and Book of Reference, or such Deviation therefrom as aforesaid, shall be under the sole Management, Survey, Controul and Direction of the said Persons, to be authorized and appointed as aforesaid, or any Three or more of them, and of no other Person or Persons whomsoever; and that such Person or Persons so to be authorized and appointed as aforesaid, or any Three or more of them, shall have full Power and Authority by virtue of this Act, within the Limits hereinbefore described, from time to time as they shall see Occasion, to widen, deepen, embank, alter, amend, cleanse and scour all such Sewers, Drains or Watercourses, and to cause to be removed and taken away any Nuisances in the same, and to alter and divert the Course of the Water in any of the said Streets or other Places made or to be made within the Limits hereinbefore described, as they shall from time to time think necessary or expedient for effecting the said Drainage, or for any other Purposes necessary or incident thereto, and that all such Sewers, Drains and Watercourses shall be subject to the sole Survey, Controul, Order and Direction of the said Persons so to be authorized and appointed as aforesaid, or any Three or more of them, their Surveyors and Officers, in such and the like manner, to all Intents and Purposes, as if the same had been expressly directed by any of the existing Statutes of Sewers to be under their Survey and Authority, or as if such Persons had been expressly named and appointed Commissioners of Sewers within the Limits aforesaid by any Statutes of Sewers, or Commission or Commissions of Sewers; any thing contained in any existing Commission or Commissions of Sewers, or in any Statute or Law to the contrary in any wise notwithstanding: Provided always, that nothing in this Act contained shall authorize or empower any Person or Persons so to construct any such Sewers, Drains or Watercourses, as to interrupt, divert or obstruct the Course of any Stream or Feeder which flows and has heretofore flowed into the said Sewer called *King's Scholars' Pond Sewer*; save only and except so far as the Water flowing or proceeding from any of the Houses, Buildings, Streets, Squares, Ways, Passages or Places, Lands or Premises hereby authorized to be drained, shall necessarily be diverted by means of such new Sewers, Drains or Watercourses.

New Sewer not to obstruct Streams or Feeders flowing into present Sewer.



LXXXVI. And be it further enacted, That the Buildings erecting or to be erected in the said Park, or in the said intended New Street, shall not be permitted to drain into any of the Sewers now existing on the Estate of the said Duke, situate between *Great Portland Street* on the East, and *High Street* and *Mary le Bone Lane* on the West, without the Consent of the said Duke in Writing for that Purpose had and obtained by the said Commissioners of His Majesty's Woods, Forests and Land Revenues, and enrolled in the Office of the Auditor of the Land Revenue.

Certain Drains not to be used without Duke of Portland's Consent.

LXXXVII. Provided always, and be it further enacted, That no Action or Suit shall be commenced or brought against any Person or Persons for any thing done in pursuance of this Act, until Twenty eight Days Notice shall be thereof given to the Secretary, or the Person officiating as such, to the said Commissioners for executing this Act, nor after a sufficient Satisfaction or Tender thereof hath been made to the Party aggrieved, nor after Three Calendar Months next after the Fact committed; and every Action or Suit shall be laid, brought and tried in the said County of *Middlesex*, and not elsewhere; and the Defendant or Defendants in every such Action or Suit may, at his, her or their Election, plead specially or the General Issue, and give this Act or 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 to be so done, or if such Action or Suit shall be brought before Twenty eight Days Notice thereof shall be given as aforesaid, or after sufficient Satisfaction made or tendered as aforesaid, or after the time limited for bringing the same as aforesaid, or shall be brought in any other County than the said County of *Middlesex*, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her or their Action or Suit after the Defendant or Defendants shall have appeared, or if, upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover Treble Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants hath or have for his, her or their Costs in any other cases by Law.

Limitation of Actions.

General Issue.

Treble Costs.

SCHEDULES to which this Act refers.

(A.)

*FORM of Contract or Agreement for a Purchase.*

BE it known, That *A. B.* and *C. D.* Two of the Commissioners of His Majesty's Woods, Forests and Land Revenues, by and with the Consent and Approbation of the Lords Commissioners of His Majesty's Treasury, in Exercise of the Powers vested in them by an Act, intituled [*here insert the Title of this Act*], do by these Presents, on behalf of His Majesty, his Heirs and Successors, contract and agree to purchase and buy of *E. F.* of

; and the said *E. F.* doth for himself [*and if as Guardian, Trustee, or acting for any other Person, then state the Character in which he acts*] contract and agree to sell and dispose of unto His said Majesty, his Heirs and Successors,

Successors, All [*describe the Parcels*], of all which Premises the said [*here name the Person seized*] is now seized in Fee Simple [*or if for any other Estate, describe it*], free from any Incumbrance whatever [*or if subject to any Incumbrances, state and except them*], at or for the Price or Sum of

[*here add any special Forms, Terms or Provisions respecting the Payment, or any Covenants or Engagements respecting the Title or Title Deeds which may be requisite or agreed upon.*] In Witness whereof the said *A. B. C. D.* and *E. F.* have hereunto set their Hands and Seals this  
 Day of \_\_\_\_\_ in the Year of our  
 Lord \_\_\_\_\_

(B.)

*FORM of Conveyance by the Commissioners.*

THESE are to witness, That in Consideration of the Sum of \_\_\_\_\_ paid by *X. Y.* to the Commissioners of Woods, Forests and Land Revenues, for and on account of His Majesty, *A. B.* and *C. D.* Two of the Commissioners of His Majesty's Woods, Forests and Land Revenues, being duly authorized by the Lords Commissioners of His Majesty's Treasury, do, for and on the behalf of His said Majesty, by these Presents grant, bargain and sell unto the said *A. B.* his Heirs and Assigns, All [*describe the Premises sold*], To have and to hold the said Premises hereby bargained and sold, and all Benefit and Advantage thereto belonging, unto and to the Use of the said *A. B.* his Heirs and Assigns for ever. In Witness whereof the said *A. B. C. D.* and *X. Y.* have hereunto set their Hands and Seals this  
 Day of \_\_\_\_\_  
 in the Year of \_\_\_\_\_ our Lord \_\_\_\_\_

(C.)

*FORM of a Deed for an Exchange of Freehold Land.*

BE it known, That *A. B.* and *C. D.* Two of the Commissioners of His Majesty's Woods, Forests and Land Revenues, being duly authorized by the Lords Commissioners of His Majesty's Treasury in Exercise of the Powers vested in them by an Act [*here insert the Title of this Act*], do by these Presents, on behalf of His Majesty, his Heirs and Successors, give, grant and convey to *X. Y.* his Heirs and Assigns, All [*describe the Premises*], in Exchange for the Premises hereinafter granted by the said *X. Y.*; and the said *X. Y.* doth by these Presents, for himself and his Heirs, by the Direction of the said Commissioners of His Majesty's Woods, Forests and Land Revenues, give, grant and convey unto His said Majesty, his Heirs and Successors, All [*describe the Premises*], in Exchange for the said Premises hereinbefore granted by the said *A. B.* and *C. D.*: Provided always, that if His said Majesty, his Heirs or Successors, or the said *X. Y.* his Heirs or Assigns, shall at any time without their respective wilful Default be evicted of the same Premises hereby respectively given, granted and conveyed to him or them respectively as aforesaid, it shall be lawful for the Party or Parties so evicted to enter into the Premises contracted by him to be given in Exchange as aforesaid, and to hold and enjoy the same in his or their former Estate, in the same manner as if the  
 Exchange

Exchange hereby made had not been made. In Witness whereof  
 the said *A. B. C. D.* and *X. Y.* have hereunto set their Hands and  
 Seals this Day of in the Year of our  
 Lord

(D.)

*FORM of Deed for an Exchange of Leasehold Premises.*

**B**E it known, That *A. B.* and *C. D.* Two of the Commissioners of  
 His Majesty's Woods, Forests and Land Revenues, being duly  
 authorized by the Lords Commissioners of His Majesty's Treasury  
 in Exercise of the Powers vested in them by an Act, intituled [*here*  
*insert the Title of this Act*], do by these Presents, on behalf of His  
 Majesty, his Heirs and Successors, give, grant and demise unto  
*X. Y.* his Executors, Administrators and Assigns, for the Term of  
 Years, commencing from the Day next before  
 the Day of the Date of these Presents, All [*describe the Premises,*]  
 in Exchange for the Premises hereinafter granted by the said *X. Y.* ;  
 and the said *X. Y.* doth by these Presents, for himself, his Executors  
 and Administrators, and by the Direction of the said Commissioners  
 of His Majesty's Woods, Forests and Land Revenues, give, grant  
 and surrender to His said Majesty, his Heirs and Successors, All  
 [*describe the Premises*], which are now vested in him the said *X. Y.*  
 under a Lease from dated the Day of  
 for a Term of Years of which

Years are yet to come and unexpired, in Exchange for the  
 said Premises hereinbefore to him granted by the said Commissioners.  
 In Witness whereof the said *A. B. C. D.* and *X. Y.* have hereunto  
 set their Hands and Seals this Day of in the  
 Year of our Lord

(E.)

*FORM of Lease.*

**T**HIS INDENTURE, made the Day of  
 in the Year of Our Lord  
 Between *A. B.* and *C. D.* Commissioners of His Majesty's Woods,  
 Forests and Land Revenues of the one Part, and *X. Y.* of  
 of the other Part; Witnesseth, That in Consideration  
 of the annual Rent hereinafter reserved, and of the Covenants, Con-  
 ditions, Provisoos and Agreements hereinafter contained, on the part  
 of the said *X. Y.* his Heirs, Executors and Administrators, to be paid,  
 observed, performed and kept, the said *A. B.* and *C. D.* Com-  
 missioners of His Majesty's Woods, Forests and Land Revenues,  
 being duly authorized by the Lords Commissioners of His Majesty's  
 Treasury, by virtue and in exercise of the Powers and Authorities in  
 them vested in and by an Act, intituled [*here set forth the Title of this*  
*Act*], have, for and on behalf of His said Majesty, granted, demised,  
 leased and to farm letten, and by these Presents do grant, demise,  
 lease and to farm let, unto the said *X. Y.* his Executors, Ad-  
 ministrators and Assigns, All [*describe the Premises*], To have and to  
 hold the said Messuage or Tenement [*or other Premises*] hereby  
 demised with the Appurtenances unto him the said *X. Y.* his  
 Executors, Administrators or Assigns, from the Day

Day of [or from the Date of these Presents, as the case may be,] for and during and unto the full End and Term of Years from thence next ensuing, and fully to be complete and ended: Yielding and paying therefore Yearly and every Year, unto the Commissioners for the time being of His Majesty's Woods, Forests and Land Revenues, the yearly Rent or Sum of (by Half-yearly or Quarterly Payments): [And a Covenant to be inserted for Payment of the Rent, and all such other Covenants, Penalties, Provisoos, Restrictions and Agreements as shall be agreed upon between the approving and contracting Parties:] In Witness whereof the said Parties have hereunto interchangeably set their Hands and Seals the Day and Year first above written.

## C A P. CXXII.

An Act for confirming the Renunciation made by *Spencer Perceval* Esquire of his Pensions on his taking the Office of a Teller of the Exchequer. [10th July 1813.]

WHEREAS His Royal Highness the Prince Regent in the Name and on the behalf of His Majesty, having been pleased to signify His Pleasure to appoint *Spencer Perceval* Esquire, Son of the late Right Honourable *Spencer Perceval* deceased, to the Office of One of the Tellers of His Majesty's Exchequer, vacant by the Death of the late Marquis of *Buckingham*, upon Condition of his renouncing the Benefit of an Annuity of Two thousand Pounds per Annum which might eventually become payable to him, and also the Benefit of an Annuity of One thousand Pounds per Annum payable to him, until the said Annuity of Two thousand Pounds should become payable, which Annuities were secured to him or for his Benefit as the eldest Son and Heir Male of the Body of the said Right Honourable *Spencer Perceval* deceased, by an Act of Parliament passed for that and other Purposes in the Fifty second Year of His Majesty's Reign: And whereas by a certain Instrument in Writing, dated the Sixteenth Day of *February*, in the Year of Our Lord One thousand eight hundred and thirteen, in Consideration of such Appointment, and in Conformity to His Royal Highness's Pleasure, the said *Spencer Perceval* (the Son) did with the Privy and Approbation of the Honourable *Jane Perceval* his Mother and Guardian, relinquish and give up all Benefit of the said Two Annuities respectively, from the time of his Appointment to the said Office, and during so long time as he should receive the Benefit thereof; and did thereby direct that the said Annuity of One thousand Pounds then payable, should not be received or demanded for his Benefit from the time of such Appointment, and so long as he should hold the said Office, and that in case the said Annuity of Two thousand Pounds should become payable to him or for his Benefit, the same should not be received or demanded, but that such Annuities respectively should cease to be payable when and so long as he should enjoy the said Office either to himself or for his Benefit: And whereas His Majesty did by Letters Patent on the Fifteenth Day of *February* last, in the Fifty third Year of His Reign, give and grant unto the said *Spencer Perceval* the Office of One of the Four Tellers of the Receipt of the Exchequer of His Majesty, in the room of the Marquis of *Buckingham* lately deceased:

52 G. 3. c. 67.  
Deed 16th Feb.  
1813.

Letters Patent  
15th Feb.  
53 G. 3.

deceased: And whereas the said *Spencer Perceval* (the Son) was under the Age of Twenty one Years at the time of making such Writing or Instrument of Renunciation, and still is under such Age; and it may therefore be doubtful whether the same would be valid and effectual for the Purpose proposed to be answered thereby: Now, for removing such Doubts and rendering valid such Renunciation: May it 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 the said Writing, Instrument and Renunciation, notwithstanding the Minority of the said *Spencer Perceval* the Son, at the time of making the same, is and shall be as good, valid and effectual, to all Intents and Purposes, as if the said *Spencer Perceval* had been of the full Age of Twenty one Years at the time of making the same, and that the Grant of the said Office to the said *Spencer Perceval* shall be as good, valid and effectual, to all Intents and Purposes, as the same would have been if the said *Spencer Perceval* had been of the full Age of Twenty one Years at the time of making the said Writing, Instrument and Renunciation.

Instrument of Renunciation of certain Annuities executed by *Spencer Perceval* Eq. a Minor, confirmed.

## C A P. CXXIII.

An Act to amend and render more effectual several Acts passed for the Redemption and Sale of the Land Tax.

[12th July 1813.]

WHEREAS it is expedient that certain of the Provisions of the several Acts passed and now in force for the Redemption and Sale of the Land Tax should be altered and amended, and that further Provisions should be made for facilitating the Redemption and Sale thereof; 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 whenever His Majesty, his Heirs or Successors, in pursuance of certain Powers vested in His Majesty, by an Act passed in the Forty second Year of His Reign, for consolidating the Provisions of the several Acts passed for the Redemption and Sale of the Land Tax into one Act, shall revoke all or any of the several Commissions granted by Warrant under the Royal Sign Manual, which authorize the Persons therein respectively named to be Commissioners for the Purpose of selling the Land Tax from time to time remaining unredeemed or unsold in Great Britain, or the said Commissioners or any of them shall otherwise cease and determine, then and from thenceforth, and until His Majesty, his Heirs or Successors, shall by Warrant under His Majesty's Royal Sign Manual grant other Commissions to any other Persons whom His Majesty may think fit for the Purpose of redeeming or selling the Land Tax, and during the Discontinuance of such Commissions, the Commissioners for the Affairs of Taxes for the time being shall have and be invested with, and shall exercise such and the like Powers and Authorities in relation to the Redemption and Sale of the Land Tax, as by the said Act, or by any other Act passed for rendering the Redemption and Sale of the Land Tax more effectual, or by this Act, are given to and vested in the several

When present Commissions shall determine, Commissioners for Affairs of Taxes shall be Commissioners for Sale of Land Tax. 42 G. 3. c. 116.

Two of Com-  
missioners may  
act.

Preference in  
Redemption of  
Land Tax by  
42 G. 3. c. 116.  
§ 21. 61.  
to Persons in  
Possession, to  
cease.

Bodies Politic,  
&c. may con-  
tract for Re-  
demption of  
Land Tax.

Consideration  
for Redemption  
of Land Tax,  
whether in  
Stock or Money,  
transferred or  
paid by Half-  
yearly Instal-  
ments, &c.

several Persons appointed Commissioners under the Royal Sign Manual, or to be appointed Commissioners for executing the said Acts and this Act; and any Two or more of the Commissioners for the Affairs of Taxes for the time being may, during such Discontinuance, do and execute any Act, Matter or Thing which by this Act such Commissioners are authorized and empowered to do.

II. And be it further enacted, That the Powers and Provisions contained in the said Act of the Forty second Year of the Reign of His present Majesty, so far as Bodies Politic and Corporate, and Companies, and Feoffees or Trustees for Charitable or other Public Purposes, and other Persons therein mentioned, who shall be in the actual Possession of, or immediately entitled to the Rents and Profits of any Manors, Messuages, Lands, Tenements or Hereditaments, whereon any Land Tax shall be charged, and the Committees, Curators, Tutors, Guardians or Trustees of any such Person or Persons as aforesaid, are by such Powers and Provisions enabled to contract for the Redemption of such Land Tax, or any Part thereof, in Preference to any Bodies Politic or Corporate, or Companies or Persons having any Estate or Interest in Remainder or Reversion or Expectancy, or being Substitute Heirs of Entail in the same Manors, Messuages, Lands, Tenements or Hereditaments, shall cease and determine; And that, from and after the passing of this Act all and every of the Bodies Politic or Corporate, Companies and Persons aforesaid, may and they are hereby authorized to contract for and to redeem such Land Tax without Preference to any of them otherwise than by Priority of Contract; and all such of the Powers and Provisions contained in the said Act as apply to the Redemption of the Land Tax by them respectively, shall be construed and expounded in the same manner as if no such Benefit of Priority or Preference in the Redemption of Land Tax had been thereby given.

III. And be it further enacted, That upon all Contracts to be entered into after the passing of this Act for the Redemption of any Land Tax in *Great Britain*, the Consideration for the same, whether in Stock or in Money, may be stipulated to be transferred or paid in equal Sums by Half-yearly Instalments in each Year, during the Period stipulated for the Transfer or Payment thereof, as near as the same can be computed; that is to say, on or before the Twenty ninth Day of *September* and the Twenty fifth Day of *March*, in each Year of Assessment of the Land Tax; and upon all Contracts to be so entered into, the Consideration may be stipulated to be paid wholly in Money (whatever may be the Amount of the Land Tax proposed to be redeemed); and the Amount of the Money to be paid as the Consideration for the Redemption of such Land Tax may in such cases either be calculated, settled and ascertained, according to and in the manner directed by the Acts in force at the time of passing this Act, or according to the Provisions contained in this Act; and every such Contract, where the Consideration shall be in Stock, to be ascertained according to the said Acts in force at the time of passing this Act, shall be made in the Form contained in the Schedule to this Act annexed, marked [A. No. 1.]; and where the Consideration shall be in Money, to be ascertained according to the said Acts, such Contract shall be made in the Form contained in the Schedule to this Act, marked [A. No. 2.];

[A. No. 2.]; and where the Consideration shall be in Money, to be ascertained according to the Provisions of this Act and the Rules herein contained, such Contract shall be made in the Form contained in the Schedule to this Act, marked [B.], except in the cases herein after mentioned.

IV. And be it further enacted, That in every Contract to be entered into, after the passing of this Act, it shall be lawful to stipulate for the Transfer or Payment of the Consideration within any Period not exceeding Sixteen Years as the Parties shall choose, to be computed from the Twenty fifth Day of *March* next preceding the Date of the Contract, by even and equal Sums in each Year, as near as the same can be computed; provided that the Stock to be transferred within any Year shall not be less than One hundred Pounds Principal Stock, nor the Money to be paid within any Year less than Sixty Pounds of lawful Money of *Great Britain*, the Duration of the Contract to be in each case regulated by the Amount of the Consideration thereon; and where the Consideration shall not amount to One hundred Pounds Stock, or to Sixty Pounds of like lawful Money, the same shall be transferred or paid within One Year from the Date of the Contract, in One Sum, or by Two equal Instalments, as shall be specified in the Contract, except in the cases hereinafter authorized.

Consideration stipulated to be transferred or paid in a Period not exceeding Sixteen Years; Periods regulated by Amount of Consideration, &c.

V. Provided always, and be it further enacted, That in every Contract entered into after the passing of this Act, and before the Twenty fourth Day of *June* One thousand eight hundred and fourteen, according to the Assessment of Land Tax made or to be made for the Year commencing from the Twenty fifth Day of *March* One thousand eight hundred and thirteen, for the Redemption of Land Tax charged on any Messuages, Tenements or other Buildings, without any Lands or Grounds held therewith, or on any Messuages, Tenements or other Buildings, together with any Lands, consisting wholly of Yards, Courts, Curtilages or enclosed Gardens, held, occupied and charged together with such Messuages, Tenements or Buildings, where the Land whereon the said Messuages or Buildings shall stand, and of which the said Yards, Courts, Curtilages and enclosed Gardens shall consist, shall not exceed in the whole One Fourth Part of a Statute Acre, it shall be lawful to contract and agree for the Redemption of such Land Tax, for a Consideration in Money, equal in Amount to Eighteen times the Amount of the Land Tax so contracted to be redeemed, to be paid in one entire Sum, within Three Calendar Months from the Date of the Contract; and every such Contract shall be made in the Form, and the Consideration thereof shall be paid according to the Rules specified in the Schedule to this Act, marked [C.].

Consideration for Messuages and Premises, not exceeding One Fourth of an Acre, how calculated.

VI. And be it further enacted, That in every Contract to be entered into after the passing of this Act, where the Bodies, Companies or other Persons, who, by the said Act of the Forty second Year of His present Majesty, or this Act, are authorized to contract for the Redemption of Land Tax, shall be in the actual Possession of the Tenements or other Hereditaments, or shall be entitled to receive the Rents and Profits payable in respect thereof from the Tenant or Tenants in actual Possession holding immediately under such Bodies, Companies or Persons respectively, and the Land Tax charged on such Manors, Messuages, Lands, Tenements or Hereditaments,

In what cases Persons in actual Possession of Land, or entitled to Rent, may contract for Redemption of Land Tax.

taments, shall not exceed the Annual Sum of Ten Pounds, it shall be lawful to contract and agree, at any time before the Twenty fifth Day of *March* One thousand eight hundred and fifteen, on the Amount of Land Tax charged thereon as assessed in the Assessment, made or to be made for either of the Years commencing on the Twenty sixth Day of *March* One thousand eight hundred and thirteen, or on the Twenty sixth Day of *March* One thousand eight hundred and fourteen, for the Redemption of such Land Tax by way of an additional Assessment of Land Tax, by Payment of an Annual Sum, equal in Amount to the Land Tax so proposed to be redeemed for and during the Term of Eighteen Years certain, or until all such additional Assessments, being placed to one Account as hereinafter is mentioned, together with the accruing Dividends thereon, shall have purchased so much Principal Stock in the Three Pounds *per Centum* Bank Annuities, as shall produce an Annual Interest or Dividend exceeding the Amount of Land Tax redeemed by One Tenth Part thereof, from the Twenty fifth Day of *March* next preceding the Date of the Contract, by Two equal Instalments in each Year, as near as the same can be computed; *videlicet*, on or before the Twenty ninth Day of *September* and the Twenty fifth Day of *March* yearly; and every such Contract shall be made in the Form, and the Consideration thereof shall be paid according to the Rules specified in the Schedule to this Act annexed, marked [D. No. 1.] or [D. No. 2.]; Provided always, that after such Contract shall be entered into as aforesaid, and such additional Assessment shall be made thereon, the Amount of Land Tax comprised in the Certificate of such Contract shall not be liable to be varied or altered, nor the said Tenements or Hereditaments subject to any other or greater Charge by way of Land Tax than was assessed at the time of entering into such Contract.

No Contract for Redemption charged on Tenements, &c. as not consisting of more than One Fourth of an Acre, unless certain Affidavits exhibited.

VII. Provided always, and be it further enacted, That no Contract shall be made for the Redemption of Land Tax charged on any Tenements or Hereditaments, as not consisting of more than One Fourth Part of a Statute Acre, on the Terms of Eighteen Years' Purchase, or for the Redemption of Land Tax by way of an additional Assessment on the Terms last before mentioned, unless an Affidavit in Writing shall in each case be exhibited to the Commissioners for executing the same Contract, to be made before any Master Extraordinary in the Court of Chancery, or a Commissioner in One of the Courts of King's Bench, Common Pleas or Exchequer, in *England*, or before some Person authorized to take Affidavits in the Court of Sessions in *Wales*, or in the Courts of Sessions or Justiciary in *Scotland*, shewing to the Satisfaction of the said Commissioners in the cases of redeeming such Land Tax at Eighteen Years' Purchase, the Particulars of which the Premises on which the Land Tax intended to be redeemed shall consist, and that the same are of the Quality, and do not contain above the Admeasurement before described; or in cases of redeeming Land Tax by an additional Assessment, shewing to the Satisfaction of the said Commissioners that the Party offering to contract is authorized so to do, and is either in the actual Possession of the Tenements or other Hereditaments, or entitled to the Rents and Profits thereof from the Tenant or Tenants in the actual Possession thereof, in the manner before required in such cases.

VIII. And



VIII. And be it further enacted, That whenever any Contract shall be made for the Payment of the Consideration for the Redemption of any Land Tax in Money to the Receiver General in *England*, or Collector of the Cefs in *Scotland*, by Two Instalments, yearly, on or before the Days herein mentioned, and it shall happen that the Receiver General of the County, Riding, Division or Place, or the Collector of the Cefs for the Shire, Division or Place, shall not be on his Receipt of Land Tax within the same County, Riding, Shire, Division or Place, on the Day when the Payment shall become due, no Forfeiture, Charge of Interest, or other Loss shall accrue by virtue of the said Act or this Act, if the Party contracting for such Payment shall pay or cause to be paid the Amount then due on such Contract, on the Day appointed for the then next Receipt of Land Tax for that County, Riding, Shire, Division or Place, where the said Receiver General or Collector shall attend for the Receipt of Land Tax.

No Forfeiture to accrue, if Payment of Instalment made at next Public Receipt of Land Tax.

IX. And be it further enacted, That the Commissioners for the Affairs of Taxes shall, as soon after the passing of this Act as conveniently can be done for the present Year, and the Commissioners for the Affairs of Taxes for the time being, shall in every succeeding Year, at such times as the Assessed Tax Notices shall be circulated, cause to be prepared, and the Commissioners acting in the Execution of the Land Tax Act in their respective Divisions and Places, or their respective Clerks, shall cause to be delivered to every Body, Company or Person charged with any Land Tax, or upon the Premises so charged, throughout *Great Britain*, in such Forms as the said Commissioners for the Affairs of Taxes shall think fit to adopt, proper Notices, specifying the various Modes and Terms by and upon which Contracts for the Redemption of the Land Tax are by this Act, or by any prior Act passed and now in force relating to the Redemption of the Land Tax, authorized to be entered into, together with a Form, to be filled up by the Bodies, Companies or Persons desirous of redeeming their Land Tax, by which they may declare their Intention so to do, and the Mode and Terms by and upon which they shall be desirous of redeeming the same.

Commissioners for Taxes to circulate printed Forms of Notices of various Modes of Redemption of Land Tax, and printed Forms of Declaration for Parties to sign.

X. And be it further enacted, That the Commissioners of the Land Tax for the Division or Place, in cases where the Manors, Messuages, Lands or other Hereditaments, the Land Tax charged upon which shall be proposed to be redeemed, shall be situate in *England*, or their Clerk, and the Surveyor of the District where the Manors, Messuages, Lands or other Hereditaments, the Land Tax charged upon which shall be proposed to be redeemed, shall be situate in *Scotland*, shall, upon the Request of any Bodies, Companies or Persons, entitled to redeem such Land Tax, or of their respective Agents, make out and deliver to such Bodies, Companies or Persons, or their respective Agents, Certificates signed by such Commissioners, or their Clerk or Surveyor, of the Amount of the Land Tax proposed to be redeemed, which Certificates shall contain the Description of the Premises, and the Names of the respective Owners and Occupiers thereof, and the Parish or Place where the same shall be situate, as the same appear upon the Land Tax Assessment then in force; and the said Bodies, Companies, or other Persons, desirous of redeeming such Land Tax, may declare their Intention of redeeming the same, and the Mode and Terms of Redemption proposed by them, by

Clerk to Commissioners of Land Tax in *England*, and Supply in *Scotland*, to deliver to Party a Certificate of Amount of Land Tax.

Party desirous of contracting, to signify same and Mode of Redemption, by signing printed Declaration.

filing up and signing, by themselves, or by some Agent on their Behalf, in the Presence of the said Commissioners, or their Clerk, or of the said Surveyor, as the case may require, the Forms of Declaration annexed to the Notices hereby required to be circulated, in such manner as to declare the Mode and Terms under which they are willing to redeem the Land Tax so certified.

Declaration attested, and transmitted with Duplicate of Certificate to Commissioners.

On Receipt whereof, Commissioners to sign Certificate of Contract for Redemption.

XI. And be it further enacted, That the Commissioners, or their Clerk or Surveyor, shall attest such Signature, and forthwith transmit every such Declaration, together with a Duplicate of the Certificate of the Amount of the Land Tax (to be signed by them or him, and to be annexed to such Declaration), to the Commissioners for the time being, acting in the Execution of the said Acts and this Act.

XII. And be it further enacted, That the Commissioners for executing the said Acts and this Act, shall, upon the Receipt of any such Declaration, and of a Copy of such Certificate as aforesaid, make out and sign a Certificate of Contract with the Parties by or on whose Behalf such Declaration shall be signed, for the Redemption of the Land Tax therein mentioned, according to such Form as shall be applicable to the Mode and Terms of Redemption to which such Declaration so signed as aforesaid shall refer; which Contract so entered into shall be binding upon the Body or Bodies, Company or Companies, or Person or Persons signing such Declaration, their respective Successors, Heirs and Assigns, and all Owners of the Lands whereon the Land Tax intended to have been redeemed, shall be charged for the Completion of such Contract; and the said last-mentioned Commissioners shall, in all cases where an Assessment is required by this Act to be made for the Payment of the Consideration, transmit an Abstract of so much thereof as shall be necessary for the Purpose of forming an Assessment according to the Directions of this Act, to the Commissioners of Land Tax or Supply in whose Division the Land Tax contracted for is charged, which Assessment shall be made according to the Rules contained in the Schedule to this Act applicable to such Contract; and in all cases where an Assessment is not required for the Purpose aforesaid, the said Commissioners for executing the said Acts and this Act, shall notify their Consent to such Contract, to the respective contracting Parties, as soon as the same can conveniently be done, and transmit such Abstract thereof as may be necessary to ascertain the Amount of Stock to be transferred, or of Money to be paid, previous to the Registry of such Contract.

Distinct Accounts kept by Receivers General of Sums received on Account of Redemption and Sale of Land Tax; and Amount paid into Bank to Account of Commissioners for National Debt.

XIII. And be it further enacted, That all Collectors of Land Tax within England, to whom any Money shall be paid pursuant to the Directions of this Act, on Account of the Redemption of the Land Tax by an additional Assessment, shall pay over the same to the Receivers General of the County, Riding, Division or Place, within which the Lands or other Hereditaments, the Land Tax so redeemed, shall be situate, or their Deputies, at such times and in such manner as the Land Tax shall be payable; and the Receivers General in England shall keep distinct Accounts of all Monies so paid to them by such Collectors for or on Account of the Land Tax, and for or on Account of such additional Assessments, and also of all such other Monies as shall be received by such Receivers General on Account of the Redemption and Sale of the Land Tax, distinguishing the several Schedules under which the same have been received, and the Year and Date of entering into the Contract; and the Collectors in

Scotland shall keep in like manner distinct Accounts of such Land Tax and additional Assessments, and of all Sums of Money received by them respectively on Account of the Redemption or Sale of the Land Tax, and shall pay the same to the Receiver General distinctly under such Accounts; and such Receivers General respectively shall from time to time pay the said Monies received by them respectively for or on Account of the Redemption of the Land Tax, or the full Amount paid or to be paid upon such Contracts, out of any Public Monies in their Hands, as Occasion shall require, for the Completion of such Contracts, or any Instalments thereon, and as the Commissioners for the Affairs of Taxes shall direct, into the Bank of England; and thereupon the Governor and Company of the Bank of England are hereby required to place the same to the Account of the Commissioners for the Reduction of the National Debt, under distinct Heads of Account, as well with relation to the Date of the Contract as to the Schedule of this Act, according to which the Contract was made; and the County wherein the Land Tax shall have been charged, entering the Contracts made in each Year, ending on the Twenty fifth Day of *March* yearly, in separate Books of Account; and the said Commissioners for the Reduction of the National Debt shall cause all the Monies so placed to their Account to be from time to time invested in the Purchase of Three Pounds *per Centum* Bank Annuities, in their Names, and placed to the like Accounts: Provided that all Sums of Money which shall be advanced by such Receivers General out of any Public Monies in their Hands, in pursuance of this Act, for the Completion of any such Contracts as aforesaid, or any Instalment thereof, shall be from time to time replaced by and out of the Monies so contracted to be paid on Account of the Redemption or Sale of such Land Tax.

Proviso.

XIV. And be it further enacted, That the Interest and Dividends from time to time to arise from Stock transferred to or purchased by the Commissioners for the Reduction of the National Debt, in pursuance of Contracts entered into in the Forms contained in the Schedules marked (A.) and (B.) of this Act, shall, as the same arise or grow due, cease to be issued at the Receipt of the Exchequer, or to be charged on the Consolidated Fund of *Great Britain*; and the Interest and Dividends from time to time to arise from Stock purchased by the said Commissioners, in pursuance of Contracts entered into in the Forms contained in the Schedules marked (C.) and (D.) of this Act, or from Dividends of Stock before purchased on the same Account, shall be from time to time paid into the Bank of England, and placed to the Accounts of the Commissioners for the Reduction of the National Debt, under the same Heads of Account respectively as the Stock in respect of which such Interest and Dividends arose shall be placed.

Interest and Dividends how applied.

XV. And be it further enacted, That the said Commissioners for the Reduction of the National Debt shall from time to time cause all such Interest and Dividends as shall be so placed to their Account, to be invested in the Purchase of the like Bank Annuities, to accumulate in the Nature of Compound Interest in Aid of the Stock purchased, by Payments on Account of Additional Assessments, and for the Benefit of the Parties entering into the said Contracts, towards the Completion of the same, until such several Bank Annuities shall together yield an Annuity or Dividend exceeding the Amount

Accumulating Interest in cases of additional Assessment added to Principal Stock.

of the Land Tax redeemed by One Tenth Part thereof; and the Interest or Dividends thereafter arising shall cease to be issued at the Receipt of the Exchequer, or to be charged on the Consolidated Fund of *Great Britain*.

Cashiers of  
Bank to receive  
Money tendered.

XVI. And be it further enacted, That the Cashiers of the Bank are hereby required from time to time to receive all such Monies as are hereby directed to be paid into the Bank, when tendered at the Bank; and the Receipt of such Cashiers, or any one of them, shall be a full and sufficient Discharge to the Person or Persons paying such Monies into the Bank as aforesaid.

Inspectors and  
Surveyors for  
Assessed Taxes  
to have Power  
to inspect Land  
Tax Assess-  
ments, &c. and  
take Copies.

XVII. And be it further enacted, That the Inspectors and Surveyors for executing the several Acts relating to the Assessed Taxes shall have Power and Authority, under the Direction of the Commissioners for the Affairs of Taxes, to inspect the several Land Tax Assessments, and the Assessments to be made under the Authority of this Act, and all Contracts, Books and Papers relating to the Redemption of Land Tax, in the Custody or Possession of any Person whatever; and shall have Power and Authority to make Copies of or Extracts from such Assessments, Books and Papers, or any of them; and the several Clerks to the Commissioners of Land Tax or Supply, and the said Collectors of Land Tax in *Great Britain* are hereby required, on Demand, to produce such Books and Papers to such Inspectors and Surveyors respectively, and to permit them to make Copies of or Extracts from the same, as they shall think fit; and if any Person shall obstruct any Inspector or Surveyor acting in the Execution of this Act, or shall withhold any Assessment, Contract, Book or Paper relating to any Assessment of Land Tax, or any Assessment made under the Authority of this Act, he shall forfeit and pay the Sum of One hundred Pounds, to be recovered and levied in such manner and Form as any Penalty may be recovered or levied by any Law relating to the Redemption of Land Tax in force at the time of passing this Act.

Obstructing In-  
spector, &c.

Penalty.

Collectors al-  
lowed 3<sup>d</sup>. in the  
Pound on Re-  
ceipts.

XVIII. And be it further enacted, That the several Collectors who shall duly collect the said additional Assessments, and pay the same to the Receivers General at the times specified in the Schedule to this Act, shall be allowed, out of any Monies in the Hands of such Receiver General (except the Monies paid in respect of such additional Assessments,) after the Rate of Three pence in the Pound on the Amount by them received and paid, of the Monies arising by additional Assessments under this Act; which Sums shall be paid yearly by the Receivers General on receiving the full Sums contained in the said additional Assessments of each Year; which Sums so paid, shall be allowed to the Receivers General in their respective Accounts.

Receivers Gene-  
ral and Clerks  
to Commis-  
sioners to have such  
Allowance for  
Trouble as  
Commissioners  
for Taxes, with  
Concurrence of  
Treasury, shall  
think reasonable.

XIX. And be it further enacted, That the several Receivers General, and the several Clerks to the respective Commissioners for the time being, acting in the Execution of the Land Tax Act, who shall punctually and faithfully execute the Powers vested in them, and perform the several Matters and Things required of them by this Act; shall and may, upon Application by them to the Commissioners for the Affairs for Taxes, be severally and respectively allowed such Sums of Money, annually or otherwise, during the Continuance of this Act, as a Compensation for their Trouble in the Discharge of the Duties imposed upon them respectively by this Act, as the said

Commis-

Commissioners for the Affairs of Taxes, with the Concurrence and under the Sanction of the Commissioners of His Majesty's Treasury, or any Three or more of them, shall think reasonable and proper; and it shall be lawful for the Commissioners of His Majesty's Treasury, or any Three or more of them, or the Lord High Treasurer for the time being, to order and direct the Sum or Sums of Money so allowed, to be issued and paid out of any Monies in the Hands of the said respective Receivers General; all which Payments the said Receivers General shall be allowed in their respective Accounts.

XX. And be it further enacted, That it shall be lawful for the Commissioners for the time being, acting in the Execution of this Act, to contract with any Bodies or Companies, or other Persons desirous of redeeming any Land Tax under the Powers and Provisions of this Act, for the Redemption of any Land Tax, at any time after the Twenty fifth Day of *March*, until the Assessment of the subsequent and then current Year shall be made and signed, according to the Assessment of such Land Tax for the preceding Year; any thing in any prior Act relating to the Redemption and Sale of the Land Tax contained to the contrary notwithstanding: Provided, that if it shall afterwards appear to the said Commissioners, by the Assessment of Land Tax for the current Year, that the Amount of the Land Tax charged upon the said Manors, Tenements or other Hereditaments, comprized in the Certificate of any such Contract for Redemption, hath been altered, it shall be lawful for such Commissioners, and they are hereby required either to amend such Contract, or to rescind the same, and to enter into a new Contract for the Redemption of the Land Tax which shall be then charged upon the said Manors or other Hereditaments, according to such Terms or mode of Redemption as shall be specified or referred to in the original Contract.

XXI. And be it further enacted, That if the Commissioners for executing the Acts in force at the time of passing this Act, or if at any time after the Commissioners acting in the Execution of the said Acts and this Act, shall have contracted for the Redemption of any Land Tax, and whether the whole of the Stock or Money transferable or payable as the Consideration for such Redemption shall have been transferred or paid or not, there shall appear to the said Commissioners for executing this Act to be any Error in the Certificate of such Contract, or in the Description of the Premises, or in the Names of the Parties contracting, either in the Contract or in any Deed of Sale, Mortgage or Grant of Tenements or Hereditaments sold, mortgaged or granted in pursuance of the said Acts or this Act, or in any Entry, Account or Memorial of the same, it shall be lawful for such Commissioners, and they are hereby required, either to amend such Contract or to rescind the same, and to enter into a new Contract for the Redemption of the Land Tax intended to be redeemed by such original Contract; and in every such case it shall be lawful for the said Commissioners either to amend any Indorsement on the Certificate of such Contract, or where a new Contract shall have been entered into, to indorse on the Certificate of any such new Contract, a true Copy of any Receipt or Receipts, or Certificate or Certificates, indorsed on the original Certificate of the Contract, whether given by any Cashier or Cashiers of the Bank of *England*, or by any Receiver or Receivers General, or Collector of Land Tax in *England*, or Collector in *Scotland*, for the Considerations or any Part thereof that shall have been actually transferred or paid on such

Commissioners may contract for Redemption according to Assessment of preceding Year.

If Land Tax varied by new Assessment, Commissioners may amend Contract, or enter into fresh Contract.

If after entering into Contract for Redemption it shall appear that there is any Error, Commissioners may amend it, or enter into new Contract.

original Contract; and it shall be lawful for the Commissioners for the Affairs of Taxes to make such Orders and give such Directions as they shall think proper, for the Transfer of Stock, or the Payment of Money, in addition to any Stock or Money that may have been previously transferred or paid, or for the Retransfer of Stock, or the Repayment of Money in Diminution of any Stock transferred or Money paid, as shall be necessary to complete the Instalments of Stock or Money transferrable or payable on such amended or new Contract, as also for the Amendment of any Entry, Account or Memorial as shall be necessary in pursuance thereof; and the Governor and Company of the Bank of *England*, the Commissioners for the Reduction of the National Debt, the several Receivers General and Collectors to whom the same may respectively appertain, shall, upon a Certificate of such Error and of the Corrections thereof, or of what ought to be done for the Correction thereof, signed by any Three or more of the said Commissioners for the Affairs of Taxes, and they are hereby respectively required to correct and amend such Error, according to the Exigency of the case so certified.

XXII. And be it further enacted, That if any Clerk to the Commissioners of Land Tax acting in and for any Hundred, Ward, Lath, Wapentake or other Division in *England*, or any Clerk to the Commissioners of Supply acting in and for any County, Stewartry, City or Burgh in *Scotland*, shall refuse or neglect to make out and deliver any Copies of Assessment of Land Tax to any Person or Persons authorized by this Act to demand the same, or shall not permit the same to be taken by such Person or Persons within Six Days after such Demand, or shall refuse or neglect to enter, on the Annual Assessments of Land Tax, an Account of the Sums of Money that may be payable as the Consideration for the Redemption of any Land Tax, or shall refuse or neglect to do any other Act hereby required to be done by Commissioners of Land Tax or by their Clerks respectively, then and in every such case every Clerk so offending shall, for every such Refusal or Neglect, forfeit the Sum of One hundred Pounds, to be recovered in such manner as Penalties imposed by the said Act of the Forty second Year of His present Majesty are by that Act authorized to be recovered; and in case of any such Refusal or Neglect as aforesaid, it shall be lawful for the Commissioners for the Affairs of Taxes, or any Two of them, either to suspend or totally to withhold from such Clerks respectively so offending the whole or any Part of such Allowance as such Commissioners are by this Act authorized to make to such Clerks for their Trouble in the Execution of the Duties reposed in them by this Act.

XXIII. And whereas some Sales and Conveyances have been made by Bodies Politic or Corporate, or Companies, or Feoffees or Trustees for Charitable or other Public Purposes, to or in Trust for other Bodies Politic or Corporate, or Companies, or Feoffees or Trustees for Charitable or other Public Purposes, of Manors and other Hereditaments, for the Purpose of redeeming Land Tax; but Doubts have arisen whether such Sales and Conveyances are authorized by any of the Acts passed for the Redemption and Sale of the Land Tax; and it is expedient that the Validity of such Sales and Conveyances should be established; Be it therefore further enacted, That all such Sales and Conveyances as have been so made as last mentioned, shall be as valid and effectual in all respects, and

Clerks to Com-  
missioners of  
Land Tax or  
Supply neglect-  
ing Duty.

Penalty.

42 G. 3. c. 116.  
§ 189, &c.

Sales made by  
one Corporation  
to another for

and the Manors or other Hereditaments so sold and conveyed shall be held and enjoyed by the Bodies and Companies, and Feoffees or Trustees to whom the same have been sold and conveyed, and by their respective Successors and Heirs and Assigns, in such and in the same manner as if such Bodies or Companies, or Feoffees or Trustees, had laboured under no legal Disability to purchase and hold such Manors or other Hereditaments.

**XXIV.** And, for obviating all Doubts as to the Power of Bodies Politic or Corporate, or Companies, or Feoffees or Trustees for Charitable or other Public Purposes, to sell Lands to other Bodies or Companies, or Feoffees or Trustees, for raising Money for the Redemption of any Land Tax, under the Powers and Authorities of the said Act of the Forty second Year of His present Majesty, or of any subsequent Act passed for the Redemption and Sale of the Land Tax, or of this Act, be it enacted, That, for the Purpose of raising Money for the Redemption of any Land Tax, under such Powers or any of them, it shall be lawful for any Bodies Politic or Corporate, or Companies, and for all Feoffees or Trustees for Charitable or other Public Purposes, but nevertheless with and under the Sanction, Controul, Direction and Authority of the Commissioners for the time being acting in the Execution of the said Act of the Forty second Year of His present Majesty, and of this Act, by virtue of His Majesty's Letters Patent, to sell, dispose of and convey unto any other Bodies Politic or Corporate, or Companies, or Feoffees or Trustees for Charitable or other Public Purposes, and their respective Successors, Heirs and Assigns (in such manner and under such Regulations, as near as may be, as are mentioned in the said Act of the Forty second Year of His present Majesty, with respect to the Sale, Disposition and Conveyance of Lands, sold by Bodies or Companies, or Feoffees or Trustees, for the Purpose of redeeming any Land Tax), any of such Manors, Messuages, Lands, Tenements or other Hereditaments belonging to the Bodies or Companies, or Feoffees or Trustees, so desirous of raising Money for the Redemption of any Land Tax, as such Bodies or Companies, or Feoffees or Trustees, are by the said Act generally authorized to sell and dispose of for Redemption of any Land Tax.

**XXV.** And be it further enacted, That it shall be lawful for any Bodies Politic or Corporate, or Companies, or Feoffees or Trustees, who shall purchase any Manors or other Hereditaments under the Power lastly herein contained, to apply any personal Property which now is or shall hereafter be invested in the Public Stocks or Funds, or any Legacies or voluntary Donations, or any other Trust Money, which by the said Act of the Forty second Year of His present Majesty such Bodies and Companies and Feoffees or Trustees are authorized to lay out in the Redemption of Land Tax, or any Surplus Stock or Money arisen or to arise by any Sale, Mortgage or Grant made or to be made by any such Bodies or Companies or Feoffees or Trustees, for redeeming their Land Tax, under the Provisions of the said Act of the Forty second Year of His present Majesty, or of any subsequent Act passed for the Redemption and Sale of the Land Tax, or of this Act, in or towards the Purchase of any Manors or other Hereditaments that shall be sold by any other Bodies or Companies or Feoffees or Trustees under the Power lastly herein contained; but where any such Personal Property shall be under the

redeeming Land Tax confirmed.

42 G. 3. c. 116.

Corporations enabled to sell Lands to other Corporations for raising Money to redeem or purchase Land Tax.

42 G. 3. c. 116.

Corporate Bodies enabled to lay out Trust Money in Purchase of Lands, sold by other Corporate Bodies, for redeeming Land Tax.

42 G. 3. c. 116.

Direction or Controul of any Court, the same shall be so applied under the Direction and with the Approbation of such Court, to be signified by an Order made upon a Petition to be preferred in a summary way.

XXVI. And whereas in some cases in which one Living hath been united to and consolidated with another Living, Part of the Lands or other Hereditaments belonging to one of such Livings hath been sold for the Purpose of redeeming the Land Tax charged upon the Lands, Tithes and other Hereditaments of both of such Livings; and it is expedient that such Sales should be confirmed, and that future Sales for the like Purpose should be authorized; and that due Provision should be made in the Event of the Disunion of such Livings; Be it therefore further enacted, That all such Sales as have been so made as last mentioned, and all Contracts that have been entered into for any such Sales, shall be and the same are hereby confirmed; and that all such Sales as shall hereafter be made of any Land or other Hereditaments belonging to any Living united to or consolidated with any other Living, for the Purpose of redeeming the Land Tax charged on the Glebe Lands and other Hereditaments belonging to both such Livings, shall be as valid and effectual as if the same had been made merely for redeeming the Land Tax charged on the Lands and other Hereditaments of the Living, any Land belonging to which shall be so sold and as if such Living had not been united to or consolidated with any other Living: But that in case any consolidated Livings, the Land Tax charged upon which hath been so redeemed as aforesaid, or shall hereafter be redeemed, shall at any time hereafter become disunited and held by different Incumbents, either by reason of the want of lawful Consent to the Union thereof, or from any other Cause, the Incumbent for the time being of the Living, by Sale of any Lands belonging to which such Land Tax hath been or shall be redeemed, shall be entitled to an annual Rent Charge issuing out of the other of such Livings, equivalent to the Amount of the Land Tax charged thereon at the time of such Redemption as aforesaid.

Sales already made of Land belonging to One of Two consolidated Livings, for redeeming Land Tax on both Livings, confirmed; and similar Sales authorized: In case of Disunion, Incumbent of Living, Land of which has been sold entitled to a Rent Charge.

Patrons of Livings under Sequestration, or where Incumbent is Outlawed, may redeem.

XXVII. And be it further enacted, That in all cases in which the Profits of any Livings are or shall be under Sequestration (whether there shall or not be any Incumbent thereof), or any Incumbents of any Livings are or shall be Outlawed, it shall be lawful for the Sequestrator of such Living, with the Consent of the College, Cathedral Church, Bodies Politic or Corporate, or Companies, or Feoffees or Trustees for Charitable or other Public Purposes, or other Person or Persons, having the Patronage of such Livings respectively, and with the Consent of the Ordinary, or it shall be lawful for such Patron or Patrons as aforesaid, with the Consent of the Ordinary, at any time during the Continuance of such Sequestration, or until such Outlawry shall be reversed, to contract and agree, for the Benefit of such Living, for the Redemption of the Land Tax charged upon the Glebe Land, Tithes or other Profits of any such Living, and to provide for such Redemption by Sale or Mortgage of any of the Glebe Lands, Tithes or other Hereditaments belonging to such Living, or by Grant of any Rent Charge thereout, in such and the same manner in all respects as any Incumbent of such Living could or might have done under the Provisions of the said Act of the Forty second Year of His present Majesty, in case the Profits of such Living



or Livings had not been sequestered, or such Incumbent or Incumbents had not been Outlawed.

XXVIII. And be it further enacted and declared, That where any Bodies Politic, Corporate or Collegiate, or Companies, or Feoffees or Trustees for Charitable or other Public Purposes, or any other Person or Persons, who by the said Act of the Forty second Year of His present Majesty, or this Act, are authorized to redeem the Land Tax charged upon Livings in their Patronage, shall be entitled to an alternate Right of Patronage to any Living or Livings, the Land Tax charged upon which shall not have been redeemed by the Incumbent or Incumbents of such Living or Livings, it shall be lawful for the Body Politic, Corporate or Collegiate, or Companies, or Feoffees or Trustees, or other Person or Persons entitled to any such alternate Right of Patronage, who shall first apply to the Commissioners for executing this Act for that Purpose, to contract and agree for the Redemption of the Land Tax charged upon the Glebe Lands, Tithes or other Profits of such Living or Livings, in the same manner as such Bodies, Companies or other Persons so applying, if entitled to the exclusive Patronage to such Living, might have contracted to redeem the same under the Provisions of the said Act of the Forty second Year of His present Majesty; and it shall be lawful for all such Bodies, Companies or other Persons to provide for such Redemption by Sale of any Lands, Tenements or Hereditaments, belonging to them respectively, or by the Grant of any Rent Charge thereout, as they respectively could or might lawfully make under the said Act of the Forty second Year of His present Majesty, for the Redemption of any Land Tax charged on the Lands belonging to them respectively; and the Land Tax so redeemed shall be forthwith extinguished; but every such Body, Company or other Person or Persons by whom or on whose Behalf such Land Tax shall be so redeemed, and their respective Heirs and Successors, shall nevertheless be entitled to an annual Rent Charge issuing out of such Living, equal to the Amount of the Land Tax redeemed; unless it shall be declared in Writing under the Common Seal, or Seal of the Bodies or Companies, or their respective Successors, or under the Hands of such other Person or Persons, or their respective Heirs, at the time of presenting or nominating any Clerk or Clerks to such Living or Livings, that such Rent Charge shall be suspended during his or their Incumbency or respective Incumbencies; which Declaration the Bodies or Companies, or other Person or Persons for the time being entitled to nominate to such Living or Livings, shall from time to time be competent to make: Provided always, that such Suspension shall be without Prejudice to the Right of such Bodies or Companies, or other Persons, and their respective Heirs and Successors, to recover such Rent Charge after the next or any future Avoidance: Provided also, that any Declaration made by such Bodies or Companies, or other Person or Persons at the time of redeeming such Land Tax shall be as available during the Incumbency of the then Rector, Vicar or Curate, as if it had been made at the time of his being presented to such Living.

Patrons of Livings having an alternate Right of Presentation, may contract for Redemption of Land Tax thereon not redeemed by Incumbents.

XXIX. And whereas by an Act passed in the Forty fifth Year of His present Majesty, to amend and render more effectual the said Act of the Forty second Year of His present Majesty, it was enacted, That where the Land Tax charged upon the Glebe Lands, Tithes

45 G. 3. c. 77. § 1.

• Tithes or other Profits of any Living, should have been or should be  
 • redeemed or purchased by the Patron or Patrons, or any former  
 • Incumbent thereof, or by any other Person or Persons, it should be  
 • lawful for the Incumbent for the time being of such Living, to treat  
 • and agree for the Purchase of an Assignment of such Land Tax  
 • for the Benefit of such Living; and for the Purpose of raising  
 • Money to purchase such Assignment to carry into Execution the  
 • Powers which by the said Act of the Forty second Year of His pre-  
 • sent Majesty are given in order to raise Money by Sale, Mortgage  
 • or Grant, for the Redemption of Land Tax; provided that the  
 • Monies to arise from any such Sale, Mortgage or Grant, or so much  
 • thereof as should be requisite, should, under the Order of any Two of  
 • the Commissioners appointed under the Great Seal as aforesaid, be  
 • paid to the Person or Persons assigning such Land Tax, and the  
 • Remainder of such Monies, in case any such should be, after Pay-  
 • ment of the Costs and Expences which should have been incurred  
 • on Account of such Sale, Mortgage or Grant and Assignment,  
 • should in pursuance of the like Order be paid into the Bank of  
 • England, or to the Receiver General or Collector as the case  
 • might require, and be applied in like manner as by the said Act of  
 • the Forty second Year of His present Majesty is directed in the  
 • case of Monies arising from Sales, Mortgages or Grants, made for  
 • the Purpose of purchasing Assignments of Land Tax under that  
 • Act; And whereas it is doubtful whether Incumbents of Livings  
 • can, after having purchased with their own Money an Assignment  
 • of the Land Tax, raise Money by Sale, Mortgage or Grant, for the  
 • Purpose of re-imbursing any Sum of Money that may have been laid  
 • out by them in the Purchase of such Assignment; and it is expe-  
 • dient that such Power should be given; Be it therefore further en-  
 • acted, That in all cases wherein any Incumbent for the time being of  
 • any Living shall purchase an Assignment of the Land Tax charged  
 • upon the Glebe Lands, Tithes or other Profits of such Living, from  
 • the Patron or Patrons or former Incumbent of such Living, or from  
 • any other Person who shall have redeemed or purchased the same, or  
 • from his, her or their Heirs, Executors, Administrators or Assigns, it  
 • shall be lawful for such Incumbent for the time being, for the Purpose  
 • of re-imbursing any Sum of Money which shall have been paid by him  
 • out of his own Money as the Consideration for any such Assignment;  
 • to carry into Execution all and every or any of the Powers which by  
 • the said Act of the Forty fifth Year of His present Majesty are given,  
 • in order to raise Money by Sale, Mortgage or Grant, for the Pur-  
 • pose of purchasing an Assignment of such Land Tax: Provided  
 • always, that the Monies to arise from any such Sale, Mortgage or  
 • Grant, to be made by virtue of this Act, or so much thereof as shall  
 • be requisite, shall, under the Order of any Two of the Commissioners  
 • appointed or to be appointed under the Great Seal of Great Britain  
 • as aforesaid, be paid to such Incumbent for the time being, whose  
 • Receipt in pursuance of such Order shall be an effectual Discharge to  
 • the respective Purchasers or Mortgagees; and the Remainder of  
 • such Monies, in case any such shall be, shall be paid and applied in  
 • such and the same manner as by the said Act of the Forty fifth Year  
 • of His present Majesty is directed concerning the Remainder of the  
 • Monies arising by the Sales, Mortgages or Grants thereby autho-  
 • rized to be made.

Incumbents of  
 Livings, Land  
 Tax charged on  
 which redeemed,  
 &c. by prior In-  
 cumbent, &c.  
 may, after pur-  
 chasing an As-  
 signment of  
 Land Tax, raise  
 Money by Sale,  
 &c. of Glebe, to  
 re-imburse  
 himself.

XXX. And be it further enacted, That where the Land Tax charged upon the Glebe Land, Tithes or other Profits of any Living, hath been redeemed by the Patron or Patrons, or any former Incumbent thereof, or by any other Person or Persons, and the Incumbent for the time being of such Living hath, under the Powers contained in the said Act of the Forty fifth Year of His present Majesty, purchased an Assignment of such Land Tax, for the Benefit of such Living, every such Assignment shall, and the same is hereby required to be transmitted within Six Calendar Months after the passing of this Act to the Officer appointed for the Registry of Contracts for Redemption of the Land Tax; and that whenever any Incumbent for the time being of any Living, the Land Tax charged upon the Glebe Land, Tithes or other Profits whereof has been or shall be redeemed or purchased by the Patron or Patrons, or any Incumbent thereof, shall, under the Provisions of the said Act of the Forty fifth Year of His present Majesty, or of this Act, purchase an Assignment of such Land Tax, for the Benefit of such Living, every such Assignment shall, within Six Calendar Months after the Date thereof, be in like manner transmitted to such Officer for the Registry of Contracts; and such Officer shall, upon the Production to him of every such Assignment as aforesaid, register the same *gratis*; and a Copy of the Registry of such Assignment signed by such Officer, shall be allowed in all Courts and Places, and before all Persons, to be good and sufficient Evidence of such Assignments, and no Copy of the Registry thereof shall be liable to any Stamp Duty.

Assignments of Land Tax already purchased by Incumbents from Patrons or other Persons who have redeemed Land Tax charged on Livings registered within Six Months.  
Future Assignments registered within Six Months from Date of Contract.

Stamp Duty.

XXXI. And be it further enacted, That, in order to provide for the Purchase of any Land Tax under the Powers and Provisions of the said Act of the Forty second Year of His present Majesty, by any Bodies Politic or Corporate, or Companies, or any Feoffees or Trustees for Charitable or other Public Purposes, it shall be lawful for such Bodies Politic or Corporate, or Companies, or Feoffees or Trustees, to sell any Lands, Tenements or Hereditaments belonging to such Bodies Politic or Corporate, or Companies, or Feoffees or Trustees, or to mortgage the same, or to grant any Rent Charge out of the same, or to enfranchise any Messuages, Lands, Tenements or Hereditaments, which are or shall be holden by Copy of Court Roll or other Customary Tenure of any Manor belonging to any such Bodies Politic or Corporate, or Companies, or Feoffees or Trustees; and to sell and dispose of any Heriots or Fee Farm Rents, Chief Rents or Quit Rents, or other Emoluments or Advantages, issuing or payable from or in respect of any Freehold or Copyhold or Customary Manors or other Hereditaments, or incident thereto or accruing therefrom, in such and the same manner and under and subject to the same Directions and Regulations as such Bodies Politic or Corporate, or Companies, or Feoffees or Trustees are respectively authorized to do under the Provisions of the said Act of the Forty second Year of His present Majesty, for the Purpose of providing for the Redemption of any Land Tax charged on the Manors or other Hereditaments belonging to such Bodies Politic or Corporate, or Companies, or Feoffees or Trustees.

Corporations or Trustees may sell or mortgage Part of Lands, or grant any Rent Charge, &c. for purchasing Land Tax.

XXXII. And be it further enacted, That whenever the Governors of the Bounty of Queen Anne, for the Augmentation of the Maintenance of the Poor Clergy, shall have appropriated any Sum or Sums of Money to or for the Benefit of any Living or Livings, or the Incumbent

Incumbents of augmented Livings, with Consent of Governors of

Queen Anne's  
Bounty may  
contract for  
Purchase of  
Land Tax.

cumbent or Incumbents of any Living or Livings, which the said Governors shall have already agreed or shall agree to augment within the meaning and under the Provisions of the Charter granted in the Reign of Queen Anne, or any Act or Acts in force at the time of passing this Act, it shall be lawful for the Incumbent or Incumbents of the said Living or Livings, by the Directions of the said Governors, to contract and agree for the Purchase of Land Tax, on the same Terms and Conditions, and in the manner directed by the said Act passed in the Forty second Year of the Reign of His present Majesty; and it shall be lawful for the said Governors to apply the said Sum or Sums so appropriated, or any Part or Parts thereof, in Satisfaction or in Payment of the Consideration stipulated in such Contracts; and the said Incumbent or Incumbents of the said Living or Livings to be so augmented, from the Period of the Exoneration of such Land Tax purchased by them respectively, and their respective Successors for the time being for ever, shall be entitled to and shall be in the actual Seizin and Possession of a Fee Farm Rent, equal in Amount to the Land Tax so purchased, to be issuing and payable out of the Manors, Messuages, Lands, Tenements or Hereditaments, whereon the Land Tax so purchased was charged, on the same Days as such Land Tax was payable before the time of the Purchase thereof, and enjoy all such Powers, Remedies and Advantages, for the Recovery of such Fee Farm Rents as are given to Purchasers of Land Tax by the said Act last mentioned.

46 G. 3. c. 133.  
§ 2.  
49 G. 3. c. 67.  
§ 1.  
50 G. 3. c. 58.  
§ 1.

XXXIII. And whereas several Acts were passed in the Forty sixth, Forty ninth and Fiftieth Years of the Reign of His present Majesty, authorizing the Commissioners appointed by Letters Patent under the Great Seal of Great Britain, to direct the Exoneration and Discharge of the Land Tax charged upon the Messuages, Lands, Tenements or other Hereditaments belonging to Livings or other Ecclesiastical Benefices or Charitable Institutions in the manner and under the Directions in the said Acts respectively mentioned or referred to; and pursuant to the Powers so vested in the said Commissioners, they have exonerated and discharged the Land Tax charged upon the Messuages, Lands, Tenements and other Hereditaments belonging to several Small Livings and Charitable Institutions: And whereas it may be expedient to augment the Incomes of other Small Livings or other Ecclesiastical Benefices and of Charitable Institutions not already exonerated from Land Tax, by exonerating the same from the Land Tax charged on the Messuages, Lands, Tenements or other Hereditaments belonging to such Livings or other Ecclesiastical Benefices or Charitable Institutions, in the manner hereinafter mentioned; Be it therefore further enacted, That it shall and may be lawful for the said Commissioners appointed or to be appointed by Letters Patent under the Great Seal of Great Britain, at any time or times after the passing of this Act, to direct the Exoneration and Discharge of the Land Tax charged upon the Messuages, Lands, Tenements or other Hereditaments belonging to any Livings or other Ecclesiastical Benefices or Charitable Institutions, in cases where the whole clear Annual Income of such Livings or other Ecclesiastical Benefices or Charitable Institutions shall not exceed the Sum of One hundred and fifty Pounds, without the Transfer or Payment of any Consideration for the same, in the manner and under the Directions and Restrictions in this Act mentioned.

Commissioners  
under Great  
Seal may exone-  
rate Small  
Livings and  
Charitable In-  
stitutions with-  
out Transfer or  
Payment of  
Consideration.

XXXIV. And

XXXIV. And be it further enacted, That every Incumbent of any such Living or other Ecclesiastical Benefice, and all Feesees or Trustees of any such Charitable Institution, who shall be desirous that the Messuages, Lands, Tenements or other Hereditaments belonging to such Living or other Ecclesiastical Benefice or Charitable Institution, should be exonerated from Land Tax under the Provisions of this Act, shall within One Year after the passing of this Act transmit a Memorial to the said last mentioned Commissioners, verified in such manner as they shall require and direct, stating the Nature and Description of the Property or other Funds or Sources from whence the Income of such Living or Ecclesiastical Benefice or Charitable Institution is derived, and the Amount of Income derived from each respectively; and shall also at the same time transmit to the said Commissioners a Certificate signed by the Collector of the Land Tax acting for the District, Town, Parish or Place, within which the Messuages or other Hereditaments belonging to such Living or other Ecclesiastical Benefice or Charitable Institution shall be situate (which Certificate such Collector is hereby authorized and required to grant), containing a Description in Writing of the Messuages or other Hereditaments belonging to such Living or other Ecclesiastical Benefice or Charitable Institution, and the Name of the Parish or Place, or Parishes or Places within which the same shall be situate, and the Amount or Amounts of Land Tax charged thereon: Provided always, that it shall be lawful for the said last mentioned Commissioners, if they shall deem it expedient, to enlarge the time by this Act limited for the Transmission of such Memorials and Certificates as aforesaid, for any further Period not exceeding Six Calendar Months from the Expiration of the Period by this Act limited as aforesaid for the Transmission thereof; and all Memorials and Certificates which shall be transmitted to the said Commissioners within such extended Period, shall be as valid and effectual to enable the Exoneration of Land Tax under the Provisions of this Act, as if the same had been transmitted within One Year from the passing of this Act.

Incumbents to transmit Statements of Income of Livings, and Certificates of Amount of Land Tax.

Commissioners may enlarge time for transmitting such Statements and Certificates.

XXXV. And be it further enacted, That it shall be lawful for the said last mentioned Commissioners, by Writing under their Hands and Seals, to certify and declare that all the Messuages, Lands, Tenements and Hereditaments belonging to any such Living or other Ecclesiastical Benefice or Charitable Institution, shall be wholly freed and exonerated from the Land Tax charged thereon, and from all further Assessments thereof; and such Messuages, Lands, Tenements and Hereditaments shall thereupon and notwithstanding it may afterwards appear that any of them, or any Part thereof, were omitted to be rated to the Land Tax at the time such Certificate of Land Tax shall have been obtained, be wholly freed and exonerated from all Land Tax, and all further Assessments thereof, from such of the quarterly Days of Payment of Land Tax as shall next precede the Day on which such Certificate of Exoneration shall be left at the Office, for the Purpose of being duly registered in the manner hereinafter prescribed.

Commissioners may, by Writing, certify that Lands are exonerated from Land Tax.

XXXVI. And be it further enacted, That the Officer appointed for the Registry of Contracts for Redemption of the Land Tax, shall register all such last mentioned Certificates of Land Tax, and the said Certificates of Exoneration, gratis; and shall make out and transmit

Certificates registered gratis.

transmit Duplicates of the Land Tax thereby certified and exonerated under the Provisions of this Act, and do all such other Acts and Things necessary for the Exoneration of the Messuages and Hereditaments so to be exonerated, as by the said Act of the Forty second Year of His present Majesty are directed, in regard to Contracts entered into under the Provisions thereof; and every Copy of the Registry of any such Certificate shall be allowed in all Courts and Places, and before all Persons, to be good and sufficient Evidence of such Certificate; and no such Certificate, nor any Copy of the Registry thereof, shall be liable to any Stamp Duty.

**Stamp Duty.**

Statement of Proceedings, as to Exoneration laid before Parliament.

XXXVII. And be it further enacted, That a Statement of the Proceedings of the said Commissioners appointed under the Great Seal in the Execution of this Act, with regard to the Exoneration of Livings or other Ecclesiastical Benefices, or Charitable Institutions, from Land Tax, shall be laid before Parliament before the Expiration of the Session of Parliament ending in the Year One thousand eight hundred and fifteen.

XXXVIII. And whereas some Sales have been made and Conveyances executed by Bodies Politic or Corporate, or Companies, or Feoffees or Trustees for Charitable or other Public Purposes, of Tithes and other Hereditaments, which have not been rated to the Land Tax, for the Purpose of redeeming the Land Tax charged on other Hereditaments; and Doubts may arise as to the Validity of such Sales and Conveyances; and it has frequently happened that certain Tithes or other Hereditaments belonging to Livings, have not been rated to the Land Tax at the time of the Contract for the Redemption of the Land Tax charged on the Messuages, Lands and other Hereditaments belonging to such Livings respectively; and such Tithes or other Hereditaments so omitted to be rated, are still liable to be rated to the Land Tax; and it appears that in some Instances certain Tithes or other Hereditaments belonging to Livings or other Ecclesiastical Benefices and Charitable Institutions, exonerated or intended to be exonerated from the Land Tax, by the Commissioners appointed under the Great Seal, by virtue of the Powers contained in the said Acts of the Forty sixth, Forty ninth and Fiftieth Years of His present Majesty, were not, at the respective times of such Exoneration, rated to the Land Tax; and such Tithes or other Hereditaments not so rated, are still liable to be rated to the Land Tax. Be it therefore further enacted, That in all cases where any Tithes or other Hereditaments have been sold or conveyed by any Body or Bodies Politic or Corporate, or Companies, or any Feoffees or Trustees for Charitable or other Public Purposes as last aforesaid, the Sales and Conveyances thereof shall be valid and effectual to all Intents and Purposes whatsoever, and the Tithes and Hereditaments therein comprized discharged from the Land Tax, and all future Assessments thereof, notwithstanding the Tithes or other Hereditaments so sold and conveyed, or any of them, may not have been at the time of such Sales or Conveyances rated to the Land Tax, and the Land Tax charged thereon may not have been previously redeemed or purchased; and that all such Tithes and other Hereditaments belonging to any Livings comprized in any Contract entered into for the Redemption of the Land Tax charged on the Messuages, Lands, Tithes or other Hereditaments belonging to any such Livings, as

45 G. 3. c. 133.  
§ 2—5.  
49 G. 3. c. 67.  
§ 1—4.  
50 G. 3. c. 58.  
§ 1.

Sales by Corporations confirmed, where Tithes, &c. sold may not have been rated to Land Tax. Tithes, &c. discharged from Land Tax although not rated at time of Redemption.

at the time of the Contract for the Redemption of such Land Tax were not rated to the Land Tax, shall nevertheless be discharged from Land Tax, and all future Assessments thereof; and further, that all such Messuages, Lands, Tithes and other Hereditaments belonging to the several Livings or other Ecclesiastical Benefices and Charitable Institutions which have been, or have been intended to be exonerated from Land Tax, under the Powers and Provisions contained in the said Acts of the Forty sixth, Forty seventh and Fiftieth Years of His present Majesty, or either of them, shall be absolutely exonerated and discharged from all Land Tax, from the respective Periods of their Exonerations and from all future Assessments of Land Tax, notwithstanding certain Portions or Parts of the Tithes or other Hereditaments belonging to such Livings or other Ecclesiastical Benefices or Charitable Institutions were not, at the respective Periods of such Exonerations, included in the Rate of Assessment to the Land Tax.

Lands and Tithes which have been exonerated from Land Tax, discharged, though not rated to it at time of Exoneration.

XXXIX. And whereas by the said Act of the Forty second Year of the Reign of His present Majesty, it was enacted, That whenever there should be any Surplus of Stock transferred as the Consideration for, or purchased with the Money arising by any Sale, Mortgage or Grant to be made by virtue thereof, after reserving so much of such Stock as should be agreed to be transferred as the Consideration for the Land Tax redeemed, the said Surplus Stock should, where the Manors, Messuages, Lands, Tenements or Hereditaments sold, mortgaged or charged, are situate, in *England*, be placed in the Books of the Bank of *England*, in the Name and with the Privy of the Accountant General of the Court of Chancery, to the Intent that the same might be applied in the manner hereinafter mentioned; that is to say, to the Intent that such Surplus Stock might at a convenient time be sold, and the Money arising therefrom applied under the Directions and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary way, in the Discharge of any Debt or Debts, or Parts thereof, affecting the Manors, Messuages, Lands, Tenements or Hereditaments, the Land Tax charged whereon should have been so redeemed; or where the same should not be so applied, then the same should be laid out and invested under the like Direction and Approbation, in the Purchase of other Manors, Messuages, Lands, Tenements and Hereditaments, which should be conveyed and settled in manner in the said Act mentioned; Now be it further enacted, That no Surplus Stock transferred or to be transferred as the Consideration for, or purchased with the Money arising by any Sale, Mortgage or Grant, made or to be made by virtue of the said Act of the Forty second Year of His present Majesty, or of any subsequent Act passed for the Redemption and Sale of the Land Tax, or of this Act, by any Bodies Politic or Corporate, or Companies, or Feoffees or Trustees for Charitable or other Public Purposes, shall be placed in the Books of the Bank of *England*, in the Name and with the Privy of the Accountant General of the said Court of Chancery, pursuant to the said Directions of the said Act of the Forty second Year of His present Majesty, until the Bodies Politic or Corporate, or Companies or Feoffees or Trustees for Charitable or other Public Purposes aforesaid, shall have obtained a Certificate under the

42 G. 3. c. 116.  
§ 100.

No Surplus Stock placed to Name of Accountant General of Chancery, until Corporation interested shall have obtained Certificate that Land Tax has been redeemed.

Hands of Two or more of the said Commissioners appointed or to be appointed under the Great Seal of *Great Britain*, that the whole of the Land Tax charged, as well on the Lands, Tenements or Hereditaments, by Sale, Mortgage or Grant whereof such Surplus Stock shall arise or be produced, as on the Messuages, Lands, Tenements or Hereditaments, limited to the like Uses or subject to the same Trusts as the Messuages, Lands and Hereditaments so sold, mortgaged or charged, stood settled or limited to at the time of such Sale, Mortgage or Charge, has been wholly redeemed or purchased, or that so much of such Land Tax has been redeemed or purchased as the said Commissioners shall under the circumstances of the case think reasonable.

Where Surplus of Stock, after transferring sufficient to redeem Land Tax on Lands belonging to Corporations Sole; such Stock, if not amounting to 1,000l. to be transferred into Names of such Corporation and a Trustee.

XL. And be it further enacted, That in all cases where there shall be any Surplus of Stock transferred as the Consideration for, or purchased with the Money arising by any Sale, Mortgage or Grant to be made by virtue of any of the Acts passed for the Redemption and Sale of the Land Tax, or of this Act, by any Archbishop, Bishop, Rector or Vicar, or other Corporation Sole, for the Purpose of redeeming or purchasing any Land Tax (after reserving so much of such Stock as shall be agreed to be transferred as the Consideration for the Land Tax redeemed or purchased), such Surplus Stock shall, if the same shall not exceed One thousand Pounds Capital Stock Three *per Centum* Consolidated or Reduced Bank Annuities, be transferred into the joint Names of such Archbishop, Bishop, Rector, Vicar or other Corporation Sole, having an Interest therein, and of some Person to be named by such Archbishop, Bishop, Rector, Vicar or other Corporation Sole, in order that the same may be applied in such manner for the Benefit of such Archbishop, Bishop, Rector, Vicar and other Corporation Sole, and their respective Successors, as is directed by the said Act of the Forty second Year of His present Majesty with respect to any Surplus Stock not exceeding Two hundred Pounds Principal Stock; and if the Consideration for the Redemption or Purchase of such Land Tax by such Archbishop, Bishop, Rector or Vicar, or other Corporation Sole, shall, in the Contract be stipulated to be paid in Money, the Surplus of such Monies, if any, after reserving the Consideration for the Redemption or Purchase of such Land Tax shall, in case such Surplus shall not exceed the Value of One thousand Pounds of such Stock as aforesaid, be paid to a Trustee to be named by the Archbishop, Bishop, Rector, Vicar or other Corporation Sole, having an Interest in such Surplus, and be by such Trustee laid out in the joint Names of himself and such Archbishop, Bishop, Rector, Vicar or other Corporation Sole, in the Purchase of Stock to be applied in like manner for the Benefit of such Archbishop, Bishop, Rector, Vicar or other Corporation Sole, and their respective Successors.

Lay Corporations to transmit to Commissioners acting under Great Seal, Account in Writing of Land Tax unredeemed.

XLI. And be it further enacted, That all Lay Corporations Aggregate, and all Companies, and all Feoffees or Trustees for Charitable or other Public Purposes, shall, and are hereby required, within Three Calendar Months after the passing of this Act, to transmit to the Commissioners for the time being, acting in the Execution of the said Act of the Forty second Year of His present Majesty, and of this Act, by virtue of Letters Patent under the Great Seal of *Great Britain*, an Account in Writing, specifying the Amount of the Land Tax which shall not then have been redeemed or contracted



contracted to have been redeemed, by or on behalf of such Corporations Aggregate, or Companies, or Feoffees or Trustees respectively; and a general Description of the Manors and other Hereditaments belonging to such Corporations Aggregate, or Companies, or Feoffees or Trustees, in respect of which the Land Tax shall remain charged or chargeable.

XLII. And be it further enacted, That when and so soon as the several Powers and Authorities which by the said Act of the Forty second Year of His present Majesty, or by any subsequent Act of Parliament passed for the Redemption and Sale of the Land Tax or by this Act, have been or are vested in the Commissioners appointed or to be appointed by virtue of His Majesty's Letters Patent under the Great Seal of Great Britain, shall have ceased or determined, or shall by any future Act of Parliament be determined, it shall be lawful for the Commissioners of His Majesty's Treasury, or any Three or more of them, pursuant to any Direction of His Majesty, his Heirs and Successors, under the Royal Sign Manual, to allow the Commissioners who have acted or shall hereafter act in the Execution of such Powers and Authorities, by virtue of such Letters Patent, or to the Executors or Administrators of any such Commissioners as may have died, by or out of any Public Monies for the time being in the Receipt of the Exchequer, applicable to the Supplies and Services of the Year, such Sums of Money, as an Acknowledgment for the Services of such Commissioners in the Execution of their Powers and Authorities, as His Majesty, his Heirs and Successors, shall deem proper.

XLIII. And whereas by an Act passed in the Fifty second Year of the Reign of His present Majesty, intituled *An Act for extending the Periods in which Deeds were directed to be inrolled by an Act of the Fiftieth Year of His present Majesty, for amending several Acts for Redemption and Sale of the Land Tax*, it was enacted, that all Deeds required by the said Act of the Fiftieth Year of His present Majesty, or any other Acts relating to the Redemption of Land Tax, to be inrolled or registered, should be valid and effectual, although the same should not have been or should not be inrolled or registered within the Periods prescribed by the said Acts respectively, provided the same should have been inrolled or registered before the passing of the Act now in recital, or should be inrolled or registered within Twelve Calendar Months after the passing thereof: And whereas the time limited by the said last mentioned Act will expire on the First Day of July next, and it is expedient to make Provision for the Inrolment or Registry of Deeds which may not be duly inrolled or registered pursuant to the Directions of that Act; Be it therefore further enacted, That all Deeds required by the said Act of the Fifty second Year of His present Majesty, or any other Acts relating to the Redemption of Land Tax, to be inrolled or registered, shall be valid and effectual, although the same shall not be inrolled or registered within the Periods prescribed by the said Act of the Fifty second Year of His present Majesty, provided the same shall have been inrolled or registered, within Twelve Calendar Months after the passing of this Act, and that all Conveyances made subsequent to any Deeds already inrolled or registered, or to be inrolled or registered under this Act, or any former Act for the Redemption of the Land Tax, and

On Determination of Powers of Commissioners appointed by Letters Patent, His Majesty may direct Allowances to them for Services.

52 G. 3. c. 80.

Deeds valid though not inrolled within a certain Period.

depending in point of Title on such Deeds, shall be of the same Effect as if such Deeds had been inrolled or registered on the Day of the Date thereof; nevertheless without Prejudice to the Validity of any Assurances heretofore made, to correct or supply any Defects arising from the want of such Inrolment or Registry.

Schedules, &c.  
made part of  
Act.

XLIV. And be it further enacted, That the several Schedules to this Act annexed, and the Rules therein contained shall be deemed and construed a part of this Act, as if the same had been inserted herein under a Special Enactment; and the said Schedules, and all and every the Provisions of this Act, shall in the Execution of any of the Powers or Provisions contained in the said Land Tax Act, or in any Act or Acts in force at the time of passing this Act, touching the Redemption or Sale of the Land Tax, be severally applied and construed in like manner as if the said several Schedules and Provisions of this Act had been specially enacted in the said prior Act or Acts; and all and every the Powers and Provisions contained in the said Land Tax Act or in any Act or Acts in force at the time of passing this Act, touching the Redemption or Sale of the Land Tax, except where the same are repealed or varied by this Act, shall be severally applied and construed in like manner as if the same Powers and Provisions had been contained and re-enacted by this Act.

Former Acts  
applied.

Act altered, &c.

XLV. And be it further enacted, That this Act, or any of the Provisions thereof, may be altered, varied or repealed by any Act to be passed in the present Session of Parliament.

The SCHEDULES to which this Act refers.

Schedule [A.]

[A. No. 1.]

FORM of the Certificate of the Contract for the Redemption of Land Tax, in cases where the Consideration is proposed to be transferred in Stock, pursuant to the Acts in force at the time of passing this Act, subject to the Alterations as to the Periods of Transfer, provided by this Act in such cases.

KNOW all Men, That we

Two of the Commissioners acting in the Execution of the several Acts for the Redemption of the Land Tax, do hereby certify, That we have contracted and agreed with

for the Redemption by him, [her, or them, as the case may require] of

Land Tax charged upon [here describe the Premises as from the Certificate of the Commissioners of Land Tax], and which Premises are assessed in the Assessment made for the

Year \_\_\_\_\_ of \_\_\_\_\_ for the \_\_\_\_\_ as follows; *videlicet*, [here insert an exact Copy of such Parts of the Assessment as relate to the Premises before described] The Consideration is declared to be

Capital Stock in the Three Pounds per Centum Bank Annuities, or one of them, to be transferred to the Commissioners for the Reduction of the National Debt, at the Bank of England, in one Sum, on or before the \_\_\_\_\_ Day

Day of or, [as the case may be] in the following Proportions, and at the following times; *videlicet*,  
 Stock on or before the Day of  
 Stock on or before the Day of  
 Stock on or before the Day of  
 Stock on or before the Day of

[When the Consideration is transferrable by Instalments, add] with Interest, to be paid at the time of the Second and each subsequent Instalment, to the Cashier or Cashiers of the Governor and Company of the Bank of England, equal to the Amount of the Land Tax redeemed, deducting therefrom a Sum bearing the same Proportion to such Land Tax as the Amount of Stock transferred before the time of each Payment bears to the whole Amount of Stock agreed to be transferred on such Contract.

## [A. No. 2.]

FORM of the Certificate of the Contract for the Redemption of Land Tax, in cases where the Consideration is proposed to be paid in Money to the Receiver General, pursuant to the Acts in force at the time of passing this Act, subject to the Alterations provided by this Act in such cases.

1st. When the Consideration is to be paid in one Sum.

KNOW all Men, That we

Two of the Commissioners acting in the Execution of the several Acts for the Redemption of the Land Tax, do hereby certify, That we have contracted and agreed with

for the Redemption by him, [her, or them, as the case may require] of Land Tax, being the Land Tax charged upon [here describe the Premises, as from the Certificate of the Commissioners of Land Tax], and which Premises are assessed in the Assessment made for the of in the of for the Year

as follows; *videlicet*, [here insert an exact Copy of such Parts of the Assessment as relate to the Premises before described] The Consideration is declared to be so much of lawful Money of Great Britain, to be paid to the Receiver General or his Deputy, [or Collector, as the case may require] for the [County, Riding, Shire, &c.] of as will be sufficient for the Redemption of the said Land Tax, on the

Day of according to the Price of Stock, to be transmitted to the said Receiver General [or Collector], in the Second Week subsequent to the Date hereof, and conformably to the Table in the Schedule to the said Act of 42 Geo. III. and other Acts in force at the time of passing the Act of 53 Geo. III. and the Rules and Directions therein respectively contained.

2d. When the Consideration is to be paid by Instalments within Four Years.

[If the Consideration is proposed to be paid within Four Years, pursuant to the Directions of the Act of 42 Geo. 3. the Land Tax must be divided into as many equal Parts as there are Years within the Period of Payment, the Fractions of Farthings to be added to the last Payment.]

The Consideration is declared to be so much of lawful Money of Great Britain, to be paid to the Receiver General or his Deputy

[*or Collector*] for the [*County, Riding, Shire, &c.*] as will be sufficient for the Redemption of Part of the said Land Tax, on or before the Day of further Part of the said Land Tax, on the Day of further Part of the said Land Tax, on the Day of and further Part of the said Land Tax, on the Day of according to the Price of Stock to be transmitted to the said Receiver General [*or Collector*], in the Second Week subsequent to the Date hereof, with respect to the Payment of the First Instalment, and with respect to the Payment of the Second and every subsequent Instalment, according to the Price of Stock, to be transmitted to such Receiver General [*or Collector*] in the Week preceding the said Day of Payment of such Second and subsequent Instalments, and conformably to the Tables in the said Acts of 42 and 43 *Geo. III.* together with Interest to be paid at the time of the Second and each subsequent Instalment, to the said Receiver General [*or Collector*], equal to the Amount of the Land Tax redeemed, deducting therefrom a Sum bearing the same Proportion to such Land Tax, as the Number of Instalments then before paid bears to the Number of Instalments agreed to be paid on such Contract.

RULES and Directions applicable to the above Contracts, marked [A.] No. 1. No 2.; and also to Contracts, marked [B.], to be observed in carrying the same into Execution.

Registering  
Contract.

1st. Every such Contract, upon Transfer or Payment (as the case may require) of One sixteenth Part of the Consideration mentioned therein, or to any greater Amount, being certified by Endorsement thereon as directed by the said prior Acts, may, if the Party or Parties to the same shall choose, be transmitted to the Commissioners entering into the same, who shall forthwith cause the same to be registered with an Indorsement thereon of the time from which the Land Tax shall be deemed to be exonerated conformably to the said prior Acts; and after such Registry and Endorsement, to be transmitted to the said Party or Parties, or his, her or their Agent lawfully authorized to receive the same; and the Land Tax shall be exonerated accordingly.

#### Schedule [B.]

FORM of the Certificate of the Contract for the Redemption of Land Tax, in cases where the Consideration is proposed to be paid in Money to the Receiver General, under the Provisions of 53 *Geo. III.* in any Period exceeding Two Years, or amounting to Twenty five Pounds or upwards.

KNOW all Men, That we, *A. B.* and *C. D.* Two of the Commissioners acting in the Execution of the Acts for the Redemption of the Land Tax, do hereby certify, That we have contracted and agreed with \_\_\_\_\_ for the Redemption by him, [*her or them, as the case may require*] of

Land Tax, being the Land Tax charged upon [*here describe the Premises as from the Certificate of the Commissioners of Land Tax*] and which Premises are assessed in the Assessment made for the \_\_\_\_\_ of \_\_\_\_\_ in the \_\_\_\_\_ of \_\_\_\_\_ for

for the Year

as follows ;

*videlicet* [here insert an exact Copy of such Part of the Assessment as relates to the Premises before described.]

Note.—The Land Tax must be divided into as many equal Parts as there are Years within the Period of Payment, computing the same from the Twenty fifth Day of March preceding the making of the Contract.

The Consideration is declared to be so much Money to be paid to the Receiver General or his Deputy, if in England, or to the Collector of the Cefs, if in Scotland, for the County of \_\_\_\_\_ or the Division of \_\_\_\_\_ in the County of \_\_\_\_\_ as will be sufficient for the Redemption of \_\_\_\_\_ Part of the said Land Tax, on or before the Twenty fifth Day of March next, further Part of the said Land Tax, on or before the Twenty fifth Day of March (the succeeding Year), \_\_\_\_\_ Pounds further Part of the said Land Tax on or before the Twenty fifth Day of March, &c. &c. (and so on every succeeding Year) according to the Price of Stock transmitted to the Receiver General or Collector in the Second Week subsequent to the Date hereof, with respect to the Payment or Payments to be made in the First Year of the Contract; and with respect to the Payments to be made in the Second and every subsequent Year of the Contract, according to the Price of Stock to be so certified in the Third Week after the Twenty fifth Day of March preceding such Payments respectively; such yearly Payments to be due in Two Instalments; *videlicet*, on the Twenty ninth Day of September, and the Twenty fifth Day of March in each Year, with Interest to be paid at the time of the Second and each subsequent Instalment, to the Receiver General or his Deputy, or to the Collector, equal to the Amount of the Land Tax redeemed, deducting therefrom a Sum bearing the same Proportion to such Land Tax as the Amount of Stock transferred before the time of each Payment bears to the whole Amount of Stock agreed to be transferred on such Contract.

RULES and Directions applicable to the above Contract [B.] to be observed in carrying the same into Execution, in addition to the Rule annexed to Schedules [A. No. 1.] and [A. No. 2.]

1st. The Consideration upon every such Contract shall, for the Payment or Payments to be made on or before the Twenty fifth Day of March next after the making the Contract, be in one Sum, to be paid on or before that Day, if the Contract be entered into after the Twenty ninth Day of September in that Year.

Time of Payment on Contract made after 29th Sept.

2d. Upon all Contracts to be entered into before the Twenty ninth Day of September in any Year, the Payments for the First Year shall be made in Two Instalments, on or before the Twenty ninth Day of September and the Twenty fifth Day of March next ensuing the Date of the Contract, and the Payments for the Second and every subsequent Year of the Contract, shall be made in like manner and at the like Periods.

Times of Payment on Contracts made before 29th Sept. and in subsequent Years.

3d. The Amount to be paid in the First Year of the Contract, shall be ascertained according to the Price of Stock transmitted, as is directed by the Act of 43 Geo. III. in the Second Week subsequent

Amount ascertained.

sequent to the Day of entering into the Contract, and the Amount to be paid in the Second and every subsequent Year of the Contract, shall be ascertained according to the Price of Stock transmitted as aforesaid, in the Third Week after the Twenty fifth Day of *March* preceding such Payments, and conformably to the Table in the Schedule of the Act of 42 *Geo. III.* marked L. or the Table in the Schedule of the Act of 43 *Geo. III.* as the case shall require; and the Two Instalments for each Year shall be ascertained by the same Price of Stock as last aforesaid.

### Schedule [C.]

FORM of the Certificate of the Contract for the Redemption of Land Tax, in cases where the Premises consist of Messuages, Tenements or Buildings, with the Appurtenances, not including in the Whole more than One fourth Part of a Statute Acre.

KNOW all Men, That we \_\_\_\_\_ Two of the Commissioners acting in the Execution of the Acts for the Redemption of the Land Tax, do hereby certify, That we have contracted and agreed with \_\_\_\_\_ for the Redemption by \_\_\_\_\_ of \_\_\_\_\_ Land Tax, being the Land Tax charged upon [here describe the Premises from the Affidavit annexed to the Certificate of Land Tax], as appears by the Affidavit in Writing of \_\_\_\_\_ duly made, signed and sworn, pursuant to the Act of 53 *Geo. III.* and which Premises are assessed in the Assessment made for the \_\_\_\_\_ of \_\_\_\_\_ in the \_\_\_\_\_ of \_\_\_\_\_ for the Year as follows; *videlicet*,

The Consideration is declared to be \_\_\_\_\_ in Money, being Eighteen times the Amount of the Land Tax before described to be paid to the Receivers General for the \_\_\_\_\_ of \_\_\_\_\_ or his Deputy, [or, the Collector of the Cefs for \_\_\_\_\_] in one Sum, within Three Calendar Months from the Date hereof.

RULES and Directions applicable to the above Contract [C.] to be observed in carrying the same into Execution.

Registry of  
Contracts.

1st. Every such Contract, upon Payment of the whole Consideration mentioned therein, being certified by Endorsement thereon, as directed by the said prior Acts, may, if the Party or Parties to the same shall choose, be transmitted to the Commissioners entering into the same, who shall forthwith cause the same to be registered, with an Endorsement thereon, of the time from which the Land Tax shall be deemed to be exonerated, and after such Registry and Endorsement, to be transmitted to the said Party or Parties, or his, her or their Agent lawfully authorized to receive the same; and the Land Tax shall be exonerated accordingly.

When Land Tax  
exonerated.

2d. The Land Tax comprized in any such Contract, whereon the Consideration shall be duly paid as aforesaid, shall be deemed to be and shall be exonerated from the Quarter Day next after the Day of entering into the said Contract; and in Default of such Payment, within the Period limited, it shall be lawful for the Commissioners entering into the same to rescind the Contract, or to confirm the same conditionally, on Payment of lawful Interest from the Day of entering into the Contract to the time of such Payment being made; and the Certificate

Certificate of the said Commissioners, confirming such Contract, shall be an Authority to the respective Receivers General to receive the Consideration with Interest as aforesaid; and the Land Tax comprized in such Contract shall in such case be deemed to be exonerated from the Quarter Day succeeding such Payment.

Schedule [D.]

FORM of the Certificate for the Contract for the Redemption of Land Tax, in cases where the Consideration is proposed to be in Money payable by way of additional Assessment.

KNOW all Men, That we Two of the Commissioners acting in the Execution of the several Acts for the Redemption of the Land Tax, do hereby certify, That we have contracted and agreed with \_\_\_\_\_ being authorized to contract for such Redemption as appears by the Affidavit in Writing of \_\_\_\_\_ duly made, signed and sworn pursuant to the Act of 53 Geo. III. for the Redemption of \_\_\_\_\_ Land Tax, being the Land Tax charged upon \_\_\_\_\_ and which Premises are assessed in the Assessment made for the \_\_\_\_\_ of \_\_\_\_\_ in the \_\_\_\_\_ of \_\_\_\_\_ for the Year \_\_\_\_\_ as follows; *videlicet*,  
 [here insert an exact Copy of such Parts of the Assessment as relate to the Premises before described.]

[D. No. 1.]

[To be used in cases where the Term of Assessment is limited.]

The Consideration is declared to be an annual Assessment in addition to the said Land Tax of the annual Sum of \_\_\_\_\_ being equal in Amount to the said Land Tax, for and during the Term of Eighteen Years from the Twenty fifth Day of *March* last; subject to the Rules and Provisions contained in the said Act, and expressed in the Schedule thereto annexed, marked [D. No. 1.]

[D No. 2.]

[To be used in cases where the Term of Assessment is to cease on the Completion of the Amount of Stock.]

The Consideration is declared to be an annual Assessment in addition to the said Land Tax, of the annual Sum of \_\_\_\_\_ being equal in Amount to the said Land Tax, to be assessed and paid until the Monies, with the accumulating Interest and Dividends arising from all such Contracts as shall be entered into from the Twenty fifth Day of *March* last for One Year, shall have purchased Stock exceeding the Land Tax redeemed thereby by One Tenth Part thereof; and the same shall be declared in the manner directed by the Act of 53 Geo. III. and then to cease, together with the Assessments of Land Tax; and all Interest or Dividends on Stock purchased by such additional Land Tax shall be invested in the Purchase of Three Pounds *per Centum* Annuities, in like manner, and so that the same may accumulate in the nature of Compound Interest, to the Use and for the Benefit of the Parties paying such additional Assessments towards the Completion of the Contracts, during all such time as the Land Tax and such additional Assessments shall be payable.

RULES and Provisions applicable to the above Contract [D.] to be observed in carrying the same into Execution.

1<sup>st</sup>. Upon every Contract entered into, where the Consideration shall

Additional Assessments made by Commissioners of Land Tax.

38 G. 3. c. 5.

First Year's additional Assessment paid before Contract available.

Collectors of additional Assessment.

Powers of Commissioners and Collectors in relation to additional Assessments.

shall be in Money payable by way of additional Assessment, the Payment or Payments to be made in each Year, as the same shall be inserted in the Abstracts thereof, to be transmitted by the Commissioners for executing this Act to the respective Commissioners of Land Tax, acting in the Execution of an Act passed in the Thirty eighth Year of the Reign of His present Majesty, for granting an Aid to His Majesty by way of Land Tax, shall be added to each Year's Assessment of Land Tax in a distinct Column, set opposite to the Land Tax intended to be redeemed by such additional Assessment: Provided that where any Contract shall be made after the Land Tax Assessment for that Year shall have been signed and allowed, and delivered to the respective Collectors, the additional Assessment for that Year may be made on a separate Form, and annexed to the Duplicate of Assessment, and collected with the next Payments remaining to be made of the said such Land Tax.

2d. No Contract for the Redemption of Land Tax, by way of an additional Assessment, shall be available in any respect, until the Amount of the First Year's additional Assessment shall be fully paid to the Receiver General for the Place in *England*, or his Deputy, or the Collector of the Cefs for the Place in *Scotland*, and a Certificate or Receipt for such Payment be obtained; which every such Receiver General or his Deputy, and every such Collector, is hereby required to give *gratis*, without any Stamp Duty.

3d. The Collectors of Land Tax appointed by virtue of the said Land Tax Act, shall in their several Parishes, Places and Divisions, be Collectors of the said additional Assessments given to them respectively in Charge, without any other or further Appointment than as Collectors of Land Tax, and the Warrant for collecting the Land Tax shall be a sufficient Authority for them to collect the said additional Assessments; provided that all such additional Assessments shall be first allowed and signed by Two or more Commissioners of Land Tax in the Division where the same shall be charged.

4th. The respective Commissioners acting in the Execution of the said Land Tax Act, and the respective Collectors appointed by virtue thereof, are hereby severally empowered and required to do all things necessary in relation to the additional Assessments made by virtue of such Contracts as last aforesaid, and of this Act, in as full and ample a manner as Commissioners and Collectors are respectively empowered and authorized to do by virtue of the said Land Tax Act: And all Powers, Remedies, Clauses, Matters and Things contained in the said Land Tax Act for demanding or receiving the said Land Tax of the several Persons chargeable therewith, or for levying the same from the said Persons, or upon the Premises charged therewith, or of paying and accounting for the Monies received by virtue of the said Act, shall be applied, used and exercised in the demanding and receiving the Monies to arise from the said additional Assessments to be made under the Authority of this Act from the same Persons respectively, and in levying the same from the same Persons, or upon the same Premises respectively; and in paying and accounting for the said Monies of the said additional Assessments received in the same; and in as full and ample a manner as if the same Powers, Remedies, Clauses, Matters and Things had been severally re-enacted in this Act, and had been expressly applied to the additional Assessments thereby authorized,

5th. The



5th. The respective Occupiers of any Messuages, Lands, Tenements or Hereditaments charged with Land Tax intended to be redeemed by way of additional Assessments, and holding under the Bodies, Companies or Persons named in the Contracts for Redemption, being respectively Tenants of the same, and paying the said additional Assessments on behalf of such Bodies, Companies and Persons respectively, shall deduct the Amount thereof from the Rent payable to the Bodies, Companies or Persons entering into the Contracts for such Redemption; such Deductions to be made out of any Rent payable after such Payments; and the Occupiers being respectively Tenants paying the said additional Assessments, shall be acquitted and discharged of so much Money as if the same had actually been paid unto the Bodies, Companies or Persons respectively to whom such Rent shall have been payable; and the several Bodies, Companies and Persons respectively, shall allow such Deductions and Payments upon Receipt of the Residue of the Rents, under the Penalty herein contained.

Tenants to deduct Payments out of Rent.

6th. If any Person or Persons, after entering into any Contract for Redemption of Land Tax, by way of additional Assessment, shall receive any Rent liable to Deduction as aforesaid, without allowing such Deduction after Demand thereof made, every such Person shall forfeit and pay Treble the Amount of the Rent so received, to be recovered and applied as any Penalty may be recovered and applied under the said Land Tax Act, or under any of the Acts for or in relation to the Redemption of Land Tax in force at the time of passing this Act, and the Contract shall thereupon be void; provided that the Commissioners for executing this Act may, if they shall be satisfied that such Refusal was not wilful, or arose from Mistake or Error, confirm the Contract, as if no such Refusal had taken place.

Not allowing Deduction.

Penalty.

7th. All Land Tax contracted to be redeemed by an additional Assessment in the Forms of and according to the Contract marked [D. No. 1.] shall be payable, and shall be assessed and paid for the Term of Eighteen Years, computed from the Commencement of the Year of the Date of the Contract, and accounted for during the said Period as if no Contract had been made for the Redemption thereof; and all Land Tax contracted to be redeemed by an additional Assessment in the Terms of and according to the Contract marked [D. No. 2.], shall be payable, and shall be assessed and paid and accounted for in like manner, until the Stock purchased in the Three Pounds *per Centum* Bank Annuities by the Monies arising from the additional Assessments, and paid into the Bank of *England* by virtue of all such Contracts entered into in each Year of Assessment, together with the Stock to be purchased by and from the Interest and Dividend to arise therefrom, and hereinbefore directed to be accumulated, shall produce an Interest or Dividend exceeding the Land Tax redeemed by One Tenth Part thereof, and until the End of the Year of Assessment in which such Amount of Stock shall be purchased.

Form of Payment for 18 Years under D. No. 1.

Until Completion of Stock under D. No. 2.

8th. Upon Payment of the said Land Tax, and the additional Assessments thereupon, for the said Term of Eighteen Years certain, or until the Amount of Stock shall be purchased as aforesaid, according to the Contract, the Commissioners for executing this Act, on the Certificate of the Governor of the Bank of *England*, that the Term of Redemption is expired, shall cause the Contracts depending thereon to be registered and transmitted to the respective Parties,

Contracts thereupon registered and Land Tax exonerated.

Parties, and Acquittances to be indorsed thereon; and the Land Tax so redeemed shall be exonerated, and all Assessments thereon shall cease and determine from the Expiration of the said respective Periods, and the Publication thereof in the *London Gazette*.

Payment by  
Advance.

9th. Any Body, Company or Person who shall have contracted to redeem Land Tax by way of additional Assessment in pursuance of this Act, may pay the whole of the Consideration then remaining unpaid, and not then in Assessment, in Advance to the Receiver General for the Place, if in *England*, or his Deputy, and if in *Scotland*, to the Collector of the Cels for the Place there, on giving Twenty one Days previous Notice in Writing at the least to such Receiver General in *England*, or to the Receiver General at *Edinburgh*, if in *Scotland*, of such their Intention, naming therein the Day or Days for such Payment, and the annual Amount of Land Tax contracted for, and the Date of the Contract; and it shall be lawful for the Receiver General to whom such Notice shall be given, on Production of a Certificate of the last Assessment of Land Tax charged on the Lands and Tenements comprized in such Contract at the time of Payment of the said Consideration in Advance, to make an Allowance at the Rate of Four Pounds *per Centum per Annum*, out of the Sum or Sums so to be paid in Advance, calculated upon such Sum or Sums, for the Period or Periods by which each respective Sum shall be paid sooner than the Period stipulated by the said Contract; and in every such case, the said Receiver General or his Deputy shall give the Person paying the same a Certificate of such Payment, specifying therein the Number of Instalments thereby discharged, and the Amount of Allowance for such prompt Payment, and referring to the Certificate of Assessment then produced; and such Receiver General shall also transmit a Copy of such Certificate to the Commissioners for the Affairs of Taxes, thereby charging himself with the Amount received; and every such Contract shall, on Payment of the full Consideration in Advance as aforesaid, be forthwith registered, and the Land Tax redeemed thereby shall be exonerated from the Quarter Day preceding the Completion of such Contract.

#### Schedule [E.]

GENERAL RULES and DIRECTIONS applicable to all before mentioned Contracts for the Redemption of Land Tax, by Payments in Money in pursuance of the Provisions of this Act.

All Money  
Payments inserted  
in Assessment  
and charged  
upon Receiver  
General.

1st. THE Commissioners for executing this Act, who shall have entered into any such Contract, shall, as soon as conveniently can be done after the Date of each Contract, cause an Abstract of so much thereof as shall be necessary to be transmitted to the Commissioners acting in the Execution of the Land Tax Act, in the Division where the Land Tax contracted for shall be charged; and the said last mentioned Commissioners shall from time to time cause Assessments to be made of the Payments which according to such Contracts shall become due in each Year ending the Twenty fifth Day of *March*, together with the Amount of the Land Tax contracted for, and the Names of the Contractors and Occupiers of the Premises whereon the Land Tax is charged, in such Form or Forms as shall be made out at the Office for Taxes for that Purpose; and shall annually return Duplicates thereof to the Receiver General and the King's Remembrancer,

membrancer, in such Form and manner, and at such times as they are directed to return Duplicates of Land Tax, in order that the respective Receivers General may be charged therewith, at the Receipt of His Majesty's Exchequer.

2d. Every Payment of Money contracted to be made on or before a particular Day mentioned in the Contract, shall be good and valid if made to the Receiver General or his Deputy in *England*, or to the Collector of the Cefs in *Scotland*, upon his Receipt of Land Tax which shall happen next after the Day of Payment mentioned in the Contract; and on every such Payment the Receiver General or his Deputy in *England*, and the Collector of the Cefs in *Scotland*, shall give a Receipt under his Hand to the Payer, upon which no Stamp Duty shall be payable.

Payments at next Receipts valid.

3d. On every Default of Payment within the time herein limited, the Amount due or to be due upon the Contract shall be recoverable as a Debt on Record, and Process shall issue thereon by virtue of the Certificate of such Default, signed by the Receiver General or his Deputy, or by the Collector of the Cefs, to whom such Payment ought to have been made and exhibited to one of the Barons of His Majesty's Exchequer in *England* and *Scotland* respectively; and if the same cannot be so recovered, the Contract for the Redemption of the Land Tax shall be void, and the said Land Tax, if the same has been exonerated, shall be revived, and be again payable, as if no such Contract had been entered into.

Arrears recoverable as a Debt on Record.

4th. It shall be lawful to pay to the Receiver General in *England*, or Collectors in *Scotland* respectively, the whole of the Consideration then remaining unpaid in Advance, according to the Price of Stock in the Week preceding the Day to be named for such Payment, notwithstanding any Limitation in the Contract, provided the Bodies, Companies or Persons desirous of making any such Payments in Advance, shall give Twenty one Days previous Notice in Writing at the least, to such Receiver General, if in *England*, or to the Receiver General at *Edinburgh*, if in *Scotland*, of such their Intention, naming therein the Day or Days for such Payment; and every such Receiver General shall, immediately upon the Receipt of such Notice, transmit to the Commissioners for the Affairs of Taxes, an Account of the Payments so intended to be made in Advance, and of the Day or Days on which the same are intended to be made; and if the whole of such Consideration shall be so paid before the Registry of the Contract, or the Exoneration of the Land Tax comprized therein, then the said Contract shall be forthwith registered, and the Land Tax shall be exonerated from the Quarter Day preceding the said Payment.

Consideration paid in Advance.

5th. Upon every Contract upon which the Payment of the Consideration in Money shall be made by Instalments, except by way of additional Assessment, there shall be paid, at the time of making the Second, and so of every subsequent Instalment upon such Contract, into the Hands of the Receiver General in *England*, or their Deputies, or the Collectors in *Scotland*, to the Use of His Majesty, his Heirs and Successors, a Sum of Money by way of Interest, in like manner and to the like Amount, in all respects, as in the said Act of the Forty second Year of His present Majesty is directed in cases of Transfer of Stock or Payment of Money by Instalments.

On making Second and every subsequent Instalment Interest paid as by 42 G. 3. c. 116. § 29.

## C A P. CXXIV.

An Act for allowing the Use of Salt Duty free for curing Conger, Pollock, Bream, Ray and Scate. [12th July 1813.]

38 G. 3. c. 89.

§ 92. &c.

Allowance to Fish Curers for every Cwt. of dried Conger, &c.

Acts relative to allowing Salt Duty free extended to Act.

‘ **W**HEREAS by an Act made in the Thirty eighth Year of the Reign of His present Majesty King *George* the Third, among other things, for transferring the Management of the Salt Duties to the Commissioners of Excise, Salt is allowed to be delivered Duty free for curing and preserving such Fish as are in the said Act in that behalf mentioned: And whereas it is expedient to extend the said Allowance to such other Fish as are hereinafter in that behalf mentioned:’ 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 same, That, from and after the passing of this Act, all and every Fish Curer and Fish Curers, to whom any Salt shall, under the Rules, Regulations, Restrictions and Provisions of the said Act, be delivered Duty free, for the Purpose of curing and preserving Fish, to be allowed a Credit not exceeding Fifty Pounds Weight of Salt for every Hundred Weight of dried Conger, Pollock, Bream, Ray and Scate, and so in Proportion for any greater or less Quantity.

II. And be it further enacted, That the said Credits shall be allowed under and subject to the same Rules, Regulations, Restrictions and Provisions as are by the said Act or by any other Act or Acts of Parliament in force at the time of passing this Act contained, provided, settled or established, for or in respect of allowing Salt Duty free, for the Purpose of curing and preserving Fish, or for or in respect of allowing Fish Curers Credit for Salt delivered to them for the Purpose aforesaid; and the said Rules, Regulations, Restrictions and Provisions, and the Fines, Penalties and Forfeitures, by the said several Acts imposed for any Breach or Disobedience thereof respectively, shall be used, applied and put in Execution for the Purposes of this Act, and for the Prevention of Frauds in Contravention thereof, or of the said several other Acts of Parliament, or any or either of them, as fully and effectually to all Intents and Purposes as if the same were severally repeated and re-enacted in this present Act.

## C A P. CXXV.

An Act to allow a Bounty upon the Exportation of Stuffs of Silk ornamented with Embroidery, Tambour, Needle Work, Lace or Fringe; and upon the Exportation of Ribbons made of Silk mixed with Inkle or Cotton. [12th July 1813.]

‘ **W**HEREAS it is expedient to give further Encouragement to the Silk Manufacturers of *Great Britain*;’ 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 Twenty fifth Day of *July* One thousand eight hundred and thirteen, the same Bounties which by the Laws in force are payable respectively upon the Exportation from *Great Britain* of Stuffs of Silk mixed with Gold or Silver, Stuffs of

Bounties on Exportation of Stuffs of Silk ornamented with Embroidery, &c.

† 1

Silk

Silk only, Stuffs of Silk mixed with Inkle or Cotton, and Stuffs of Silk and Worsted, shall be allowed and paid on such Stuffs respectively, although the same may be ornamented with Embroidery, Tambour, Needle Work, Lace or Fringe, provided the Ornaments on or attached to the Stuffs mixed with Gold or Silver, and likewise the Stuffs of Silk only, are of Silk, Gold and Silver, or either or all of them, and that the Ornaments on or attached to the Stuffs of Silk mixed with Inkle or Cotton, and likewise to the Stuffs of Silk mixed with Worsted, are of Silk, Inkle, Cotton, Worsted, or either or all of them.

II. And be it further enacted, That the Bounty which by the Laws in force is payable upon the Exportation of Stuffs of Silk mixed with Inkle or Cotton shall be allowed and paid on Ribbons made of Silk mixed with Inkle or Cotton: And such Bounties respectively shall be paid and allowed in the same manner, and subject to the same Conditions, Rules, Regulations, Restrictions, Penalties and Forfeitures, as are directed and provided by the Laws in force with respect to any other Bounty on Manufactures of Silk exported from Great Britain, so far as the same are applicable and not hereby altered: Provided always, that no Bounty shall be paid or allowed on any of the said Silk Manufactures, unless the Value of the Goods at the Port of Exportation is at least Four times the Amount of the Bounty claimed thereon.

And on Exportation of Ribbons mixed with Inkle or Cotton. Conditions.

### C A P. CXXVI.

An Act to extend the Provisions of an Act of the Ninth and Tenth Year of King *William* the Third, for preventing the Embezzlement of Stores of War, to all Public Stores.

[12th July 1813.]

WHEREAS an Act passed in the Ninth and Tenth Year of the Reign of His late Majesty King *William* the Third, intituled *An Act for the better preventing the Embezzlement of His Majesty's Stores of War; and preventing Cheats, Frauds and Abuses in paying Seamen's Wages*: And whereas great Frauds are practised in the Embezzlement of Public Stores not under the Care, Superintendance or Controul of the Principal Officers or Commissioners of the Navy, Ordnance or Victualling Office, and Doubts have arisen whether such Stores are within the Provisions of the said recited Act; and it is therefore expedient that the Provisions of the said Act should extend to all Public Stores: 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, the said recited Act of the Ninth and Tenth Year of King *William* the Third, and all the Penalties, Forfeitures and Clauses, and Provisions for the Recovery thereof, and for the Prevention of the Embezzlement of any Stores in the said Act particularly described, and the Punishment of Persons offending therein, shall extend and be construed to extend to all Public Stores whatsoever, having thereon or therein the Marks usually employed to denote the Public Stores under the Care, Superintendance or Controul of any Officer or Person in His Majesty's Service, or employed in any Public Department or Office, and

9 & 10 W. 3. c. 41.

Extended to Stores having usual Marks to denote Public Stores.

and to all Persons not authorized by contracting with some such Officer or Person using any Marks usually used to or marked upon any of His Majesty's Stores, or making any Goods so marked, and to all Persons in whose Custody, Possession or Keeping any such Goods or Stores so marked shall be found without such Certificate as is in the said Act mentioned of some such Officer or Person as aforesaid, as fully and effectually to all Intents and Purposes as if all the said Penalties and Forfeitures, and Clauses, Provisions, Matters and Things in the said Act contained, for the Prevention of Embezzlement of Stores and Punishment of Persons offending therein, were severally and separately re-enacted in this Act as to all Public Stores whatsoever and made Part thereof.

### C A P. CXXVII.

An Act for the better Regulation of Ecclesiastical Courts in *England*; and for the more easy Recovery of Church Rates and Tithes.  
[12th July 1813.]

WHEREAS it is expedient that Excommunication, together with all Proceedings following thereupon, should, saving in certain cases, be discontinued, and that other Proceedings should be substituted in lieu thereof; and that certain other Regulations should be made in the Proceedings of the Ecclesiastical Courts; and that more convenient modes of recovering Tithes and Church Rates in certain cases should be provided; Be it therefore enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the passing of this Act, Excommunication, together with all Proceedings following thereupon, shall in all cases, save those hereafter to be specified, be discontinued, throughout that Part of the United Kingdom of *Great Britain and Ireland* called *England*; and that in all Causes which according to the Laws of this Realm are cognizable in the Ecclesiastical Courts, when any Person or Persons having been duly cited to appear in any Ecclesiastical Court, or required to comply with the lawful Orders or Decrees, as well final as interlocutory, of any such Court, shall neglect or refuse to appear, or neglect or refuse to pay Obedience to such lawful Orders or Decrees, or when any Person or Persons shall commit a Contempt in the Face of such Court, no Sentence of Excommunication shall be given or pronounced; saving in the particular cases hereafter to be specified; but instead thereof, it shall be lawful for the Judges or Judge who issued out the Citation, or whose lawful Orders or Decrees have not been obeyed, or before whom such Contempt in the Face of the Court shall have been committed, to pronounce such Person or Persons contumacious and in contempt, and within Ten Days to signify the same in the Form to this Act annexed, to His Majesty in Chancery, as hath heretofore been done in signifying Excommunications; and thereupon a Writ *de Contumace Capiendo*, in the Form to this Act annexed, shall issue from the Court of Chancery, directed to the same Persons to whom the Writs *de Excommunicato Capiendo* have heretofore been directed; and the same shall be returnable in like manner as the Writ *de Excommunicato Capiendo*

Excommunication discontinued, except in certain cases.

Same as in Writ de Excommunicato Capiendo.

*Capiendo* hath been by Law returnable heretofore, and shall have the same Force and Effect as the said Writ; and all Rules and Regulations not hereby altered, now by Law applying to the said Writ and the Proceedings following thereupon, and particularly the several Provisions contained in a certain Act passed in the Fifth Year of Queen Elizabeth, intituled *An Act for the due Execution of the Writ de Excommunicato Capiendo*, shall extend and be applied to the said Writ *de Contumace Capiendo* and the Proceedings following thereupon, as if the same were herein particularly repeated and enacted; and the proper Officers of the said Court of Chancery are hereby authorized and required to issue such Writ *de Contumace Capiendo* accordingly; and all Sheriffs, Gaolers and other Officers are hereby authorized and required to execute the same, by taking and detaining the Body of the Person against whom the said Writ shall be directed to be executed; and upon the due Appearance of the Party so cited and not having appeared as aforesaid, or the Obedience of the Party so cited and not having obeyed as aforesaid, or the due Submission of the Party so having committed a Contempt in the Face of the Court, the Judges or Judge of such Ecclesiastical Court shall pronounce such Party absolved from the Contumacy and Contempt aforesaid, and shall forthwith make an Order upon the Sheriff, Gaoler or other Officer in whose Custody he shall be, in the Form to this Act annexed, for discharging such Party out of Custody, and such Sheriff, Gaoler or other Officer shall, on the said Order being shewn to him, so soon as such Party shall have discharged the Costs lawfully incurred by reason of such Custody and Contempt forthwith discharge him.

5 El. c. 23.

II. Provided always, and be it further enacted, That nothing in this Act contained shall prevent any Ecclesiastical Court from pronouncing or declaring Persons to be Excommunicate in definitive Sentences, or in interlocutory Decrees having the Force and Effect of definitive Sentences, such Sentences or Decrees being pronounced as Spiritual Censures for Offences of Ecclesiastical Cognizance, in the same manner as such Court might lawfully have pronounced or declared the same, had this Act not been passed.

In what cases Excommunication shall continue.

III. And be it further enacted, That no Person who shall be so pronounced or declared Excommunicate, shall incur any Civil Penalty or Incapacity whatever, in consequence of such Excommunication, save such Imprisonment, not exceeding Six Months, as the Court pronouncing or declaring such Person Excommunicate shall direct, and in such case the said Excommunication, and the Term of such Imprisonment, shall be signified or certified to His Majesty in Chancery, in the same manner as Excommunications have been heretofore signified, and thereupon the Writ *de Excommunicato Capiendo* shall issue, and the usual Proceedings shall be had, and the Party being taken into Custody shall remain therein for the Term so directed, or until he shall be absolved by such Ecclesiastical Court.

Proceedings in case of Excommunication.

IV. And whereas in the Seventh and Eighth Years of King William the Third an Act was made and passed, intituled *An Act for the more easy Recovery of Small Tithes*, whereby, amongst other things therein enacted, Two or more of His Majesty's Justices of the Peace are authorized and required to hear and determine Complaints touching Tithes, Oblations and Compositions subtracted or withheld, not exceeding Forty Shillings: And whereas it has

7 &amp; 8 W. 3. c. 6. § 1.

Justices of Peace may determine Complaints respecting Tithes not exceeding Ten Pounds.

Limitation of Actions respecting Tithes.

7 & 8 W. 3.  
c. 34. § 4.  
and 1 G. 1.  
Stat. 2. c. 6. § 2.

as to Quakers neglecting to pay Tithes, &c. extended.

Recovery of Church or Chapel Rates.

‘ become expedient to enlarge such Amount, and also to extend the said Act to all Tithes whatsoever of certain limited Amount;’ Be it enacted, That such Justices of the Peace shall, from and after the passing of this Act, be authorized and required to hear and determine all Complaints touching Tithes, Oblations and Compositions subtracted or withheld, where the same shall not exceed Ten Pounds in Amount from any one Person, in all such cases, and by all such means, and subject to all such Provisions and Remedies, by Appeal or otherwise as contained in the said Act of King *William*, touching Small Tithes, Oblations and Compositions not exceeding Forty Shillings: Provided always nevertheless, that, from and after the passing of this Act, One Justice of the Peace shall be competent to receive the original Complaint, and to summon the Parties to appear before Two or more Justices of the Peace, as in the said Act is set forth.

V. And be it further enacted, That, from and after the passing of this Act, no Action shall be brought for the Recovery of any Penalty for the not setting out Tithes, nor any Suit instituted in any Court of Equity, or in any Ecclesiastical Court, to recover the Value of any Tithes, unless such Action shall be brought or such Suit commenced within Six Years from the time when such Tithes became due.

‘ VI. And whereas in the Seventh and Eighth Years of King *William* the Third an Act was made and passed, intituled *As Act that the solemn Affirmation and Declaration of the People called Quakers shall be accepted instead of an Oath in the usual Form*, whereby, among other things, it is therein enacted, where any Quaker shall refuse to pay for or compound for his great or small Tithes, or to pay any Church Rates, Two or more of His Majesty’s Justices of the Peace are authorized to hear and determine the same, not exceeding the Value of Ten Pounds: And whereas by a Statute made and passed in the First Year of King *George* the First the said Act is extended to other Objects: And whereas it is become expedient to enlarge the said Sum;’ Be it enacted, That, from and after the passing of this Act, all the Provisions of the said Acts of King *William* and King *George* shall be deemed and taken to extend to any Value not exceeding Fifty Pounds: Provided always nevertheless, that, from and after the passing of this Act, One Justice of the Peace shall be competent to receive the original Complaint, and to summon the Parties to appear before Two or more Justices of the Peace, as in the said Act is set forth.

‘ VII. And whereas it is expedient that Church Rates or Chapel Rates of limited Amount, unduly refused or withheld, should in certain cases be more easily and speedily recovered;’ Be it enacted, That, from and after the passing of this Act, if any one duly rated to a Church Rate or Chapel Rate, the Validity whereof has not been questioned in any Ecclesiastical Court, shall refuse or neglect to pay the same Sum at which he is so rated, it shall and may be lawful for any One Justice of the Peace of the same County, Riding, City, Liberty or Town Corporate, where the Church or Chapel is situated, in respect whereof such Rate shall have been made, upon the Complaint of any Churchwarden or Churchwardens, Chapelwarden or Chapelwardens, who ought to receive and collect the same, by Warrant under the Hand and Seal of such Justice, to convene before any Two or more such Justices of the Peace any Person so refusing

†

or



or neglecting to pay such Rate, and to examine upon Oath (which Oath the said Justices are hereby empowered to administer) into the Merits of the said Complaint, and by Order under their Hands and Seals to direct the Payment of what is due and payable in respect to such Rate, so as the Sum ordered and directed to be paid as aforesaid do not exceed Ten Pounds, over and above the reasonable Costs and Charges, to be ascertained by such Justices; and upon Refusal or Neglect of such Party to pay according to such Order, it shall and may be lawful for any One of such Justices, by Warrant under his Hand and Seal, to levy the Money thereby ordered to be paid, together with the Amount of such Costs and Charges, by Distress and Sale of the Goods of such Offender, his Executors or Administrators, rendering only the Overplus to him or her, the necessary Charges of distraining being thereout first deducted and allowed by the said Justices; and any Person finding him or herself aggrieved by any Judgment given by Two or more such Justices, may appeal to the next General Quarter Sessions to be held for the County, Riding, City, Liberty or Town Corporate wherein the Church or Chapel is situated, in respect whereof such Rate shall have been made, and the Justices of the Peace there present, or the major part of them, shall proceed finally to hear and determine the Matter, and to reverse the said Judgment if they shall see Cause; and if the Justices then present, or the major part of them, shall find cause to affirm the Judgment given by the first Two or more Justices, the same shall be decreed by Order of Sessions, with Costs, against the Appellant, to be levied by Distress and Sale of the Goods and Chattels of the said Party Appellant: Provided always, that in case any such Appeal be made as aforesaid, no Warrant of Distress shall be granted until after such Appeal be determined: Provided also, that nothing herein contained shall extend to alter or interfere with the Jurisdiction of the Ecclesiastical Courts to hear and determine Causes touching the Validity of any Church Rate or Chapel Rate, or from proceeding to enforce the Payment of any such Rate, if the same shall exceed the Sum of Ten Pounds from the Party proceeded against: Provided likewise, that if the Validity of such Rate, or the Liability of the Person from whom it is demanded to pay the same, be disputed, and the Party disputing the same give Notice thereof to the Justices, the Justices shall forbear giving Judgment thereupon, and the Person or Persons demanding the same may then proceed to the Recovery of their Demand, according to due Course of Law, as heretofore used and accustomed: Provided likewise, that nothing herein contained shall affect any Regulations that may have been made by Authority of Parliament, respecting the Church Rates or Chapel Rates of any particular Parishes or Districts.

Appeal.

Proviso for  
Ecclesiastical  
Jurisdiction.

Proviso.

VIII. And be it further enacted, That, from and after the passing of this Act, if any Proctor of the Arches Court of *Canterbury*, or any other Ecclesiastical Court or Courts in which he shall be entitled to act as Proctor, shall act as such, or permit or suffer his Name to be in any manner used in any Suit, the Prosecution or Defence whereof shall appertain to the Office of a Proctor, or in obtaining Probates of Wills, Letters of Administration or Marriage Licences, to or for, or on account or for the Profit and Benefit of any Person or Persons not entitled to act as a Proctor, or shall permit or suffer any such Person or Persons to demand or participate in such Profit

Proctors allow-  
ing their Names  
to be used by  
Persons not en-  
titled to act as  
Proctors struck  
off Roll.

and Benefit, and Complaint thereof shall be made to the Court or Courts wherein such Proctor hath been admitted and enrolled, and Proof given to the Satisfaction of the said Court or Courts that such Proctor hath offended therein as aforesaid, then and in such case every such Proctor so offending shall be struck off the Roll of Proctors, and be for ever after disabled from practising as a Proctor, or be suspended from the Office, Function and Practice of a Proctor in all and every the said Court or Courts for so long a Period as the Judge or Judges of the said Court or Courts may deem fit; save and except as to any Allowance or Allowances, Sum or Sums of Money that are or shall be agreed to be made to the Widows or Children of any deceased Proctor or Proctors by any surviving Partner or Partners of such deceased Proctor or Proctors; and also save and except as to any Agreement made, or understood to have been made, between Proctors and Articled Clerks, whose Articles have been executed prior to the passing of this Act.

Exception

Persons exercising Functions of a Proctor not being duly enrolled.

IX. And be it further enacted, That, from and after the passing of this Act, in case any Person or Persons shall in his or in their own Name; or in the Name of any other Person or Persons, make, do, act, exercise or perform any Act, Matter or Thing whatsoever in any way appertaining or belonging to the Office, Function or Practice of a Proctor, for or in Consideration of any Gain, Fee or Reward, or with a View to participate in the Benefit to be derived from the Office, Functions or Practice of a Proctor, without being admitted and enrolled, every such Person, for every such Offence, shall forfeit and pay the Sum of Fifty Pounds, to be sued for and recovered in manner hereinafter mentioned.

Penalty.

Proviso for Salaries of Clerks of Seven Years standing.

X. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to any Salary which shall be agreed to be paid by a Proctor, his Partner or Successor, to a Clerk really and *bona fide* serving in his Office at the time of the passing of this Act, and who shall have been *bona fide* serving in the Office of any Proctor or Proctors for Seven Years next before the passing of the same.

Recovery of Penalties, &c.

XI. And be it further enacted, That all pecuniary Forfeitures and Penalties imposed on any Person or Persons for Offences committed against this Act, shall and may be sued for and recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint or Information, wherein no *Essoin*, Protection, Privilege, Wager of Law or more than One Imparance shall be allowed, and wherein the Plaintiff, if he or she shall recover any Penalty or Penalties, shall receive the same for his or her own Use, with full Costs of Suit.

Limitation of Actions.

XII. And be it further enacted, That if any Action or Suit shall be brought or commenced for any thing done in pursuance of this Act, every such Action or Suit shall be commenced within Three Calendar Months next after the Fact committed, and not afterwards, and shall be laid and tried in the City or County wherein the Cause of Action shall have arisen, 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 or by the Authority of this Act; and if the same shall appear to have been so done, or if any Action or Suit shall be brought after the

General Issue.

the time limited for bringing the same, or shall be laid in any other City, County or Place than as aforesaid, then the Judge shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or suffer a Discontinuance of their Action or Suit, after the Defendant or Defendants shall have appeared, or if, upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs, and shall have such Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit in any other case by Law.

Treble Costs.

SCHEDULES to which this Act refers.

Schedule (A.)

TO His Most Excellent Majesty and our Sovereign Lord George the Third, by the Grace of God of the United Kingdom of Great Britain and Ireland King, Defender of the Faith,

Significavit of Party being Contumacious and in Contempt.

by Divine Providence, &c. Health in Him by whom Kings and Princes rule and govern: We hereby notify and signify unto Your Majesty, That one of in the County of hath been duly pronounced guilty of manifest Contumacy and Contempt of the Law and Jurisdiction Ecclesiastical, in not [as the case may be] appearing before [here set out the Style of the Ecclesiastical Judge, or his Representative], or in not obeying the lawful Commands [here set out the Commands] of [such Judge or Representative] or in having committed a Contempt in the Face of the Court of [such Judge or Representative] lawfully authorized by [here set out the nature and manner of such Contempt], on a Day and Hour now long past, in a certain Cause of [here set out the nature of the Cause, and the Names of the Parties to the same]. We therefore humbly implore and entreat Your said Most Excellent Majesty would vouchsafe to command the Body of the said to be taken and imprisoned for such Contumacy and Contempt. Given under the Seal of our Court the

Day of  
the case may be].

A. B. Registrar, [or, Deputy Registrar, as

Schedule (B.)

GEORGE, &c. To the Sheriff of Greeting: The hath signified to Us, that Writ de Contumace Capiendo. of in your County of is manifestly contumacious, and contemns the Jurisdiction and Authority of [here fully state the Non-appearance, Disobedience, together with the Commands disobeyed, or the Contempt in the Face of the Court, as the case may be], nor will he submit to the Ecclesiastical Jurisdiction; but forasmuch as the Royal Power ought not to be wanting to enforce such Jurisdiction, We command you that you attach the said by his Body, until he shall have made Satisfaction for the said Contempt; and how you shall execute this our Precept notify unto and in nowise omit this, and have you there this Writ. Witness Ourself at Westminster, the

Day of  
Year of our Reign.

in the

## Schedule (C.)

Writ of Deliv-  
erance.

WHEREAS of  
in your County of whom lately, at the denounc-  
ing of for Contumacy, and by Writ issued  
thereupon, you attached by his Body until he should have made  
Satisfaction for the Contempt; now he having submitted himself, and  
satisfied the said Contempt, We hereby empower and command you,  
that without Delay you cause the said  
to be delivered out of the Prison in which he is so detained,  
if upon that Occasion and no other he shall be detained therein.  
Given under the Seal of our of  
A. B. Registrar, [or, Deputy Registrar, as the case may be.]  
Extracted by E. F.  
Proctor.

## C A P. CXXVIII.

An Act to relieve from the Operation of the Statute of the  
Twenty fifth Year of the Reign of King *Charles the Second*,  
intituled *An Act for preventing Dangers which may happen  
from Popish Recusants*, all such of His Majesty's Popish or  
Roman Catholic Subjects of *Ireland*, as by virtue of the Act  
of Parliament of *Ireland* of the Thirty third Year of His  
Majesty's Reign, intituled *An Act for the Relief of His  
Majesty's Popish or Roman Catholic Subjects of Ireland*, hold,  
exercise or enjoy any Civil or Military Offices, or Places of  
Trust or Profit, or any other Office whatsoever, of which  
His Majesty's said Subjects are by the said Act of Parliament  
of *Ireland* rendered capable. [12th July 1813.]

33 G. 3. (1.)  
c. 21.

WHEREAS by an Act of the Parliament of *Ireland* of the  
Thirty third Year of the Reign of His Majesty, intituled  
*An Act for the Relief of His Majesty's Popish or Roman Catholic  
Subjects of Ireland*, it is enacted, that it shall and may be lawful for  
Papists, or Persons professing the Popish or Roman Catholic  
Religion, to hold, exercise and enjoy all Civil and Military Offices  
or Places of Trust or Profit under His Majesty, his Heirs and  
Successors, in the Kingdom of *Ireland* (except such Offices as are  
excepted in any Proviso contained in the said Act of the Parliament  
of *Ireland*), and to hold or take Degrees, or any Professorship in,  
or be Masters or Fellows of any College to be thereafter founded  
in the said Kingdom, provided that such College shall be a  
Member of the University of *Dublin*, and shall not be founded  
exclusively for the Education of Papists or Persons professing the  
Popish or Roman Catholic Religion, nor consist exclusively of  
Masters, Fellows or other Persons to be named or elected on the  
Foundation of such College being Persons professing the Popish  
or Roman Catholic Religion, or to hold any Office or Place of  
Trust in, and to be a Member of any Lay Body Corporate, except  
the College of the Holy and Undivided Trinity of Queen *Elizabeth*,  
near *Dublin*, without taking or subscribing the Oaths of Alle-  
giance, Supremacy or Abjuration, or making or subscribing the  
Declaration required to be taken, made and subscribed, to enable  
any Person to hold and enjoy any of such Places, and without  
receiving

receiving the Sacrament of the Lord's Supper, according to the Rights and Ceremonies of the Church of *Ireland*; any Law, Statute or Bye-Law of any Corporation to the contrary notwithstanding; provided that every such Person shall take and subscribe the Oath appointed by an Act in the Thirteenth and Fourteenth Years of His Majesty's Reign, intituled *An Act to enable His Majesty's Subjects of whatever Persuasion, to testify their Allegiance to Him*, and also the Oath and Declaration mentioned in the said Act of the Parliament of *Ireland* of the Thirty third Year of the Reign of His Majesty: And whereas Doubts have been entertained whether, notwithstanding the said Act of the Parliament of *Ireland*, Persons holding, exercising and enjoying Civil or Military Offices, or Places of Trust or Profit, granted to them in *Ireland*, under and by virtue of the Authority of the said Act of the Parliament of *Ireland*, may not be rendered liable whilst in *England*, *Wales* or *Berwick upon Tweed*, or in His Majesty's Navy, or in the Islands of *Jersey* or *Guernsey*, to the Pains, Penalties, Forfeitures or Disabilities, enacted by the Act of the Twenty fifth Year of the Reign of His Majesty King *Charles* the Second, intituled *An Act for preventing Dangers which may happen from Popish Recusants*: May it therefore please Your Majesty that it may be declared and enacted; and be it declared and enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all such of His Majesty's said Popish or Roman Catholic Subjects as hold, exercise and enjoy any Civil or Military Office or Offices, or Place or Places of Trust or Profit, or other Office or Situation whatsoever, granted to them or any of them in *Ireland*, under and by virtue of the Authority of the said Act of the Parliament of *Ireland* of the Thirty third Year of the Reign of His Majesty, and who shall have duly taken the Oaths and Declaration required by the said Act, shall not, in respect of any such Office, Place or Situation, be liable, in *England*, *Wales*, *Berwick upon Tweed*, or in His Majesty's Navy, or in the Islands of *Jersey* or *Guernsey*, to any of the Pains, Penalties, Forfeitures or Disabilities enacted by the said Act of the Twenty fifth Year of the Reign of King *Charles* the Second, intituled *An Act for preventing Dangers which may happen from Popish Recusants*, but shall be wholly freed and exempt therefrom; any thing in the said last mentioned Act to the contrary notwithstanding; and shall also be wholly freed and exempt from all Pains, Penalties, Forfeitures and Disabilities whatsoever in the said several Places last mentioned, for not making, taking and subscribing the Oaths of Allegiance, Supremacy or Abjuration, or for not making, taking and subscribing the Declaration required to be taken to enable any Person to hold and enjoy any Office or Place of Trust or Profit, or for not receiving the Sacrament of the Lord's Supper according to the Rites and Ceremonies of the Church of *England*; any thing contained in any Act of Parliament to the contrary notwithstanding.

II. And be it further enacted by the Authority aforesaid, That if any of His said Majesty's Popish or Roman Catholic Subjects, having duly taken the Oaths and Declaration required by this Act, shall take or have taken in *Ireland* a Commission in His Majesty's Army,

13 & 14 G. 3.  
(L) c. 35.

Roman Catholics holding Civil or Military Offices in *Ireland* granted under 13 G. 3. c. 21. not liable in *England*, &c. to Penalties of 25 Car. 2. c. 2.

Regulation as to taking of Commissions in Army.

and shall afterwards take a higher Commission or higher Commissions in *Great Britain*, within the Intent and Meaning of the said Act; or if any Person having enlisted as a Private in any Regiment in *Ireland*, or being a Non Commissioned Officer in such Regiment, shall afterwards take or have taken a Commission in the said or any other Regiment in *Great Britain*, and shall have duly taken the Oaths and Declaration required by the said Act, such Person shall not, in respect of such Commission or Commissions, be liable, in *England, Wales, Berwick upon Tweed*, or in His Majesty's Navy, or in the Islands of *Jersey or Guernsey*, to any of the Pains, Penalties, Forfeitures or Disabilities enacted by the said Act of the Twenty fifth Year of the Reign of King *Charles the Second*, intituled *An Act for preventing Dangers which may happen from Popish Recusants*, but shall be wholly freed and exempt therefrom; any thing in the said last mentioned Act to the contrary notwithstanding; and shall also be wholly freed and exempt from all Pains, Penalties, Forfeitures and Disabilities whatsoever in the said several Places last mentioned, for not making, taking and subscribing the Oaths of Allegiance, Supremacy or Abjuration, or for not making, taking and subscribing the Declaration required to be taken to enable any Person to hold and enjoy any Office or Place of Trust or Profit, or for not receiving the Sacrament of the Lord's Supper according to the Rites and Ceremonies of the Church of *England*; any thing contained in any Act of Parliament to the contrary notwithstanding.

25 Car. 2. c. 2.

## C A P. CXXIX.

An Act to amend an Act made in the Forty ninth Year of His Majesty's Reign, for the further Prevention of the Sale and Brokerage of Offices, so far as relates to the Offices of the Six Clerks in the Court of Chancery in *Ireland*.

[12th July 1813.]

49 G. 3. c. 126.

WHEREAS an Act was passed in the Forty ninth Year of His Majesty's Reign, intituled *An Act for the further Prevention of the Sale and Brokerage of Offices*; and it is reasonable that the Offices of the Six Clerks in the Court of Chancery in *Ireland* should be excepted from the Operation of the said Act; 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 nothing in the said Act contained for preventing the Purchase, Sale, Exchange or Brokerage of Offices, shall extend or be construed to extend to any Purchases, Sales or Exchanges of any Office or Offices of a Six Clerk or Six Clerks of the Court of Chancery in *Ireland*; any thing in the said recited Act contained to the contrary in any wise notwithstanding.

Not to extend to Offices of Six Clerks in Chancery in *Ireland*.

## C A P. CXXX.

An Act to continue, until the First Day of *January* One thousand eight hundred and fourteen, or in case Parliament shall not have assembled before the said First Day of *January*, then until Three Weeks after the then next Meeting of Parliament, certain Acts for appointing Commissioners to enquire

enquire into the Fees, Gratuities, Perquisites and Emoluments received in several Public Offices in *Ireland*; to examine into any Abuses which may exist in the same, and into the mode of receiving, collecting, issuing and accounting for Public Money in *Ireland*. [12th July 1813.]

WHEREAS an Act was made in the Forty fourth Year of His present Majesty's Reign intituled *An Act for appointing, until the Fifth Day of August One thousand eight hundred and five, Commissioners to enquire into the Fees, Gratuities, Perquisites and Emoluments which are or have been lately received in the several Public Offices in Ireland therein mentioned; to examine into any Abuses which may exist in the same; and into the present Mode of receiving, collecting, issuing and accounting for Public Money in Ireland; and the said recited Act has, by certain Acts made in the Forty fifth, Forty seventh, Forty ninth, Fiftieth, Fifty first and Fifty second Years of His present Majesty's Reign, been continued with Amendments until the First Day of August One thousand eight hundred and thirteen: And whereas it is expedient that the said recited Act of the Forty fourth Year, as amended by the said other recited Acts, should be continued in manner hereinafter mentioned; 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 recited Act of the Forty fourth Year aforesaid, as amended by the said other recited Acts, shall be and the said Acts are hereby further continued until the First Day of *January* One thousand eight hundred and fourteen, or in case Parliament shall not have assembled before the said First Day of *January*, then until Three Weeks after the then next Meeting of Parliament.*

II. And be it further enacted, That it shall and may be lawful for the Lords Commissioners of His Majesty's Treasury in *Ireland*, or the Lord High Treasurer of *Ireland* for the time being, and they are hereby authorized and required to issue and cause to be issued over and above the Sums mentioned in the said recited Acts of the Forty fourth, Forty seventh, Forty ninth, Fiftieth, Fifty first and Fifty second Years aforesaid, a further Sum of Money not exceeding Two thousand Pounds to such Person or Persons as the Commissioners under the said recited Acts, or any Three or more of them, shall by Writing under their Hands desire or direct, out of any Part of the Public Monies, remaining in His Majesty's Exchequer in *Ireland*; which Sums so issued and paid shall be employed for the Payment of Clerks, Messengers and other Officers, and in defraying all other necessary Charges in or about the Execution of the Powers of the said recited Act and this Act, and in such manner and in such Proportions as shall be appointed by the said Commissioners or any Three or more of them, by Writing under their Hands and Seals in that behalf; and that such Sums shall be accounted for by the Person or Persons to whom the same shall be issued or paid according to the Course of His Majesty's Exchequer of *Ireland*, without any Fees or other Charges to be taken or demanded for the issuing or Payment of the same on the passing of the said Accounts, other than such Sum as the said Commissioners or any Three or more of them shall appoint.

44 G. 3. c. 106.

45 G. 3. c. 65.

47 G. 3. Sess. 1.

c. 41.

49 G. 3. c. 51.

50 G. 3. c. 81.

51 G. 3. c. 81.

52 G. 3. c. 92.

continued.

2,000l. issued out of Irish Exchequer for Payment of Clerks, Officers and other Expences.

## C A P. CXXXI.

An Act to make further Regulations for the Building and Repairing of Court Houses and Sessions Houses in *Ireland*.  
[12th July 1813.]

‘ WHEREAS it is expedient to make further Regulations for the Building and Repairing of Court Houses and Sessions Houses in *Ireland*;’ 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 the Grand Jury of any County, County of a City or County of a Town, in *Ireland*, at any Assizes or Presenting Term for such County, County of a City or County of a Town, and they are hereby required from time to time to enquire into the State of the Court Houses or Sessions Houses of such County, County of a City or County of a Town; and if they shall find any such Court Houses or Sessions Houses in want of Repair, or deficient in any Accommodations or Advantages requisite for the same, such Grand Jury is hereby empowered to present such Sum or Sums, to be raised off such County, County of a City or County of a Town, as shall be deemed necessary to remedy such Deficiency, either by enlarging or altering such Court Houses or Sessions Houses, or by building a new Court House or Sessions House in lieu thereof, or to effect all such Repairs as may be necessary; and that whenever any Presentment shall be made by such Grand Jury, for the building, repairing, enlarging or rebuilding of any Court House or Sessions House, it shall and may be lawful for such Grand Jury to direct that the Overseers appointed for the overseeing of such Work shall, before the then next ensuing Assizes or Presenting Term, enter into a Contract with some Person or Persons duly qualified for performing the Whole or any Part of the Work so presented to be done; and the said Overseers are hereby empowered and required to make and enter into such Contract accordingly with any Person or Persons, and his or their Surety or Sureties for performing the same; in which Contract the Nature of the Work to be done, and the time within which the same is to be completed, the whole Sum or Sums of Money to be paid for the same, and the periodical or other time or times of Payment or Advance of such Sum or Sums, or any Part or Parts thereof to the Contractor or Contractors, shall be fully stated and set forth; and every such Contract shall be made and entered into in Writing at least Fourteen Days next before such ensuing Assizes or Presenting Term, and shall at the Assizes or Presenting Term next after the same shall be so made and entered into, be laid before the Grand Jury, who shall signify on the Back of such Contract their Approbation or Disapprobation thereof, and of the Sufficiency of the Sureties for performing such Contract; and the Approbation of such Grand Jury, when given, shall be entered in the Presentment Book at the said Assizes, and shall be stated by the Judge at such Assizes, whereupon such Contract shall be binding and conclusive on all Parties to all Intents and Purposes; and if such Contract shall not be so approved of by such Grand Jury, the same shall be null and void to all Intents and Purposes whatsoever.

Grand Juries may make Presentments for building, &c. of Court Houses, &c. and empower Overseers to make Contracts for Work, to be approved of by such Grand Jury.

Contracts in Writing.

II. Pro-



II. Provided always, and be it further enacted, That it shall and may be lawful for any Person or Persons to appear at the Assizes or Presenting Term at which such Contract shall be so laid before the Grand Jury, and to traverse the Propriety of such Contract, on the Ground only that the Price agreed to be paid for the Work contracted to be done is excessive; and whenever any Person shall so appear and traverse the Propriety of such Contract upon the Ground of such excessive Price, it shall be lawful for the Court at such Assizes or Presenting Term, and they are hereby required to try the Merits of such Traverse by a Jury, in the same manner as any other Traverse within the Jurisdiction of such Court ought to be tried at such Assizes; and in case the Jury shall find for such Traverse, such Contract shall thereupon be disallowed and annulled; and if they shall find against such Traverse, such Contract shall stand good and valid.

Contract may be traversed at Assizes, on Ground that Price excessive.

III. And be it further enacted, That whenever any Presentment shall be made for the building, enlarging, repairing or rebuilding any Court House or Sessions House as aforesaid, and the Sum necessary to be raised for the same shall be greater than it may be proper to raise in such County, County of a City or County of a Town, in One Half Year, then and in every such case it shall be lawful for the Grand Jury presenting the same, to present in the first Instance the whole Sum to be expended therein, and to direct in and by such Presentment that the same shall be raised on the County, County of a City or County of a Town, by any Half-yearly or Yearly Sums or Instalments in manner and at the times therein specified, and in such Proportions as to such Grand Jury may seem expedient; and the same shall be so raised accordingly: Provided always, that it shall be lawful for any subsequent Grand Jury to present that any of the Instalments shall be increased or diminished to any Sum that shall be stipulated to be paid in or by such Contract as may have been entered into under or by virtue of this Act.

Expences of erecting Court House, &c. may be raised by Half-yearly Instalments.

IV. And be it further enacted, That it shall and may be lawful for the Grand Jury, at the Assizes or Presenting Term at which such Contract as aforesaid shall be approved of as aforesaid, or at any subsequent Assizes or Presenting Term, to present that any Sum or Sums agreed by such Contract to be paid or advanced to the Contractor or Contractors at any Times or Periods in the said Contract specified, or any other Sum or Sums in the Discretion of the said Grand Jury, shall be paid and advanced to such Contractor or Contractors at such Times or Periods as shall be specified in such Presentment by the Treasurer of the County, upon the Order in Writing of such Overseers; and such Overseers and Contractors shall thereupon, before any Sum shall be so advanced, enter into a Recognizance before the Court in double the Sum so to be advanced, conditioned that the Money so to be advanced shall be applied for the Purpose for which the same was so presented, and none other; and that such Overseers and such Contractor or Contractors or some of them, shall at the next Assizes or Presenting Term justly and fairly account for the same, and that they or some of them, their Executors or Administrators, shall at such ensuing Assizes or Presenting Term pay to the Treasurer for the time being of such County, County of a City or County of a Town, any Balance or Part of such Money which shall not by such Account appear to have been applied for the Purpose aforesaid.

Proviso.

Grand Jury may present that Money shall be advanced to Contractors.

V. And

Overseers and  
Contractors ac-  
counting.

V. And be it further enacted, That such Overseers and Contractors shall, at the next ensuing Assizes or Presenting Term as aforesaid, lay before the Grand Jury and the Court a just and fair Account in Writing, of all and every Expenditure and Expenditures of such Money so to be advanced, and the particular Purposes for which the same was expended, and the Quantities and Prices of each Material bought therewith, and such Account shall be verified by Affidavit in Writing at the Foot thereof, to be made in open Court by the Contractor or Contractors, or one of them, and shall state that the whole of the Money was so expended for the sole Purpose of executing the Work so presented pursuant to the Presentment thereof; and whenever any such Work shall be finished, and the Accounts of the said Contractors approved of and passed by the Grand Jury and the Court, it shall be ordered that all such Recognizances so entered into shall be vacated on the last Day of the next Assizes or Presenting Term, and they shall be so vacated accordingly; unless some sufficient Complaint laid before the Court or the Grand Jury sufficient Cause shall appear to induce the Court to make an Order to the contrary; and provided if there be any Balance unexpended, a Certificate of the Treasurer of the County, County of a City or County of a Town, shall be laid before the Grand Jury and the Court, and setting forth that he had received the said Balance and applied it to the Credit of the County, County of a City or County of a Town.

A&t to extend to  
Contracts al-  
ready made.

VI. And be it further enacted, That if at any time before the passing of this A&t any Overseer or Overseers duly appointed by any Grand Jury of any County, County of a City or County of a Town in *Ireland*, shall have made and entered into any Contract or Contracts for the building, rebuilding, enlarging or repairing of any Sessions House or Court House, the same shall be laid before the Grand Jury of such County, County of a City or County of a Town, at the Assizes or Presenting Term next ensuing the passing of this A&t, and if it shall appear to such Grand Jury that such Contract hath been in Part executed, they shall signify the same on the Back of such Contract, and thereupon the same shall be good and valid, and the Provisions of this A&t shall be applied to the Execution thereof, as if the same had been duly approved and not traversed; and if it shall appear to such Grand Jury that such Contract has not been in Part executed, they shall signify on the Back of such Contract their Approbation or Disapprobation thereof, and thereupon the same, if approved, shall be liable to be traversed, and be in all respects in the same State and Condition and be executed in the same manner, and the Provisions of this A&t shall be applied to the Execution thereof, as if the same had been presented and regularly approved or disapproved under this A&t; and that all Money which may have been or shall be advanced or paid to such Contractor or Contractors, shall be duly accounted for in manner required by this A&t; and that no Sum shall after the passing of this A&t be paid to any Contractor, until he shall have so accounted for all Sums so previously received by him.

Grand Jury may  
purchase  
Houses, &c.

VII. And be it further enacted, That whenever any Presentment shall have been or shall be made for the Purpose of building, rebuilding or repairing any Sessions House or Court House in or for any County, County of a City or County of a Town, and it shall happen that

that any Houses, Buildings, Lands, Tenements or Hereditaments may be convenient for the Scite of any new Court House or Sessions House, or may be adjoining to any old Court or Sessions House, and be convenient for the Purpose of enlarging the same, or the Courts or Outlets thereunto belonging, it shall and may be lawful for the Grand Jury of such County, County of a City or County of a Town, to contract and agree with any Person or Persons, or Body or Bodies Corporate or Politic, who may be willing to demise or sell such Houses, Buildings, Lands, Tenements or Hereditaments, or any of them, and such Grand Jury shall direct that the Houses, Buildings, Lands, Tenements or Hereditaments so contracted or agreed for, shall be demised or conveyed to such Commissioners, as such Grand Jury shall appoint, and to their Heirs, Executors, Administrators and Assigns, in Trust for the Uses and Purposes aforesaid, in such manner and under such Rules and Regulations for the appointing such Commissioners, and for the demising and conveying such Houses, Buildings, Lands, Tenements and Hereditaments, shall be so agreed or contracted for as aforesaid, to such Commissioners, as are contained in an Act made in the Fiftieth Year of His present Majesty's Reign, intituled *An Act for repealing the several Laws relating to Prisons in Ireland; and for re-enacting such of the Provisions thereof as have been found useful, with Amendments*, with respect to the Appointment of Commissioners, and the demising or conveying of any Houses, Buildings, Lands, Tenements or Hereditaments to such Commissioners, under the said recited Act.

50 G. 3. c. 103.  
§ 16.

VIII. And be it further enacted, That whenever any new Court House shall have been erected for any County, according to the Provisions of this Act, if it shall so happen that the same shall be built within a County of a City or County of a Town, wherein the Assizes or Presenting Term for such County have been usually held, the said Court House with its Appurtenances shall be deemed and taken to be Part and Parcel of the County at large, for which the same shall have been built as aforesaid.

Court House  
deemed Part of  
County for  
which built.

IX. And be it further enacted, That it shall and may be lawful for the Grand Jury of any County, County of a City or County of a Town, to sell or dispose, and to authorize the Sale and Disposal of any old Court House or Sessions House belonging to such County, County of a City or County of a Town, in which the Assizes or Sessions for such County, County of a City or County of a Town, have been discontinued or ceased to be held, together with Ground or Scite on which the same is built, according to the Title or Interest which such County, County of a City or County of a Town, may have in the same; and also to sell and dispose of, and to authorize the Sale and Disposal of all or any Part of the Materials of which such old Court House or Sessions House may be composed: Provided always, that the Money arising therefrom shall be paid into the Hands of the Treasurer of such County, County of a City or County of a Town, to the Credit of such County, or County of a City or County of a Town, subject to be thereafter presented, and to answer such Demands; and to be accounted for in the same manner as any other Sum or Sums of Money levied upon Counties at large, and placed in the Hands of the Treasurer of such County, County of a City or County of a Town, are now or hereafter may be subject by Law.

Grand Jury may  
sell old Court  
Houses, &c.

Money paid to  
Treasurer of  
County, &c.

C A P.

## C A P. CXXXII.

An Act to extend the Services of the Militia of the *Tower Hamlets* to all Parts of the United Kingdom.

[12th July 1813.]

51 G. 3. c. 118.

‘ WHEREAS an Act of Parliament passed in the Fifty first Year of the Reign of His present Majesty intituled *An Act to permit the Interchange of the British and Irish Militias respectively*: And whereas the Extension of Service of the Militia of *England, Scotland and Ireland* respectively, to any Part of the United Kingdom has been found highly beneficial, and it is therefore expedient that the Services of the Militia raised under an Act passed in the Thirty seventh Year of the Reign of His present Majesty, intituled *An Act for the better raising and ordering the Militia Forces of the Tower Hamlets, in the County of Middlesex*; and the Provisions of the Acts relating to the Militia which extend to the said Militia of the *Tower Hamlets* should in like manner be extended; 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, all Persons who may be commissioned, raised or inrolled in and for the Militia of the *Tower Hamlets* after the passing of this Act, whether by Ballot or otherwise under any Act now in force, or which may hereafter be in force, for raising Men for the said Militia, shall be liable to serve in all Parts of the United Kingdom of *Great Britain and Ireland*; any thing contained in the said recited Act of the Thirty seventh Year aforesaid, or any other Act or Acts of Parliament relating to the *Tower Hamlets* Militia to the contrary notwithstanding.

Militia of Tower Hamlets liable to serve in all Parts of United Kingdom.

51 G. 3. c. 118. as to Extension of Service, extended to Tower Hamlets Militia.

II. And be it further enacted, That all the Clauses and Provisions of the said recited Act of the Fifty first Year aforesaid, as to the Extension of Service of the Militia and as to the Oaths to be taken by Persons raised or enrolled or appointed to serve in the Militia after the passing of the said Act, shall extend and be applied and put in force as to the Militia to be raised or inrolled, and as to Officers, Serjeants, Corporals and Drummers to be appointed for the *Tower Hamlets* after the passing of this Act, as fully and effectually to all Intents and Purposes as if the same were severally and separately re-enacted in and made Part of the Body of this Act, and as if the said Militia of the *Tower Hamlets* had been included in the said Act; any thing in the said recited Act of the Thirty seventh Year aforesaid, or any other Act or Acts of Parliament relating to the *Tower Hamlets* Militia to the contrary notwithstanding.

Provisions of 51 G. 3. c. 118. empowering His Majesty to accept voluntary Offers of Extension of Service, &c. extended to Militia of Tower Hamlets now serving.

III. And be it further enacted, That all the Clauses and Provisions in the said recited Act of the Fifty first Year aforesaid contained, relating to the Militia serving at the time of passing the said Act, and to empower His Majesty to accept the voluntary Offers of Extension of Service of such Militia, and the Bounties to be given and Oaths to be taken and manner in which such Provisions are to be explained by Commanding Officers of the Militia to the Persons willing to make such Offers, and all Regulations, Matters and Things in the said Act contained relating thereto, shall extend to the Militia of the *Tower Hamlets* now serving, as fully and effectually

effectually as if the same were severally and respectively re-enacted in and made Part of this Act, and as if the said Militia of the *Tower Hamlets* had been included in the said recited Act of the Fifty first Year aforesaid, and the said Act and this Act shall be construed together as One Act; any thing in the said recited Act of the Thirty seventh Year aforesaid, or any other Act or Acts of Parliament relating to the Militia of the *Tower Hamlets* to the contrary notwithstanding.

## C A P. CXXXIII.

An Act to amend an Act of the present Session of Parliament, for granting a Sum of Money for purchasing an Estate for the Marquis of *Wellington* and his Heirs, in Consideration of the eminent and signal Services performed by the said Marquis of *Wellington* to His Majesty and the Public.

[12th July 1813.]

WHEREAS by an Act passed in the present Session of Parliament, intituled *An Act for granting a Sum of Money for purchasing an Estate for the Marquis of Wellington and his Heirs, in Consideration of the eminent and signal Services performed by the said Marquis of Wellington to His Majesty and the Public*, a Sum not exceeding One hundred thousand Pounds was granted out of the Consolidated Fund of *Great Britain* to the Speaker of the House of Commons, the Lord High Treasurer of *Great Britain*, or First Lord Commissioner of the Treasury, the Chancellor of the Exchequer for the time being respectively, the Right Honourable *William Wellesley Pole*, and the Honourable and Reverend *Gerald Valerian Wellesley*, Doctor in Divinity, who were thereby required to invest the same in the Purchase of Freehold Manors, Lands, Tenements and Hereditaments in *Great Britain*; and it was enacted that the said Manors, Lands, Tenements and Hereditaments should, when so purchased, be forthwith settled, conveyed and assured to the Use of the said Marquis of *Wellington*, and to the Heirs Male of the Body of the said Marquis of *Wellington*, and to such other Person to whom the Title, Honour and Dignity of Marquis of *Wellington* should descend, pursuant to the Limitations of the Patent whereby the said Dignity was granted, and in Default and on Failure of the Heirs Male of the Body of the said Marquis, then to the Use of the Heirs of his Body: And whereas it was intended that the Manors, Lands, Tenements and Hereditaments so to be purchased should always go along and be enjoyed with the said Title, Honour and Dignity of Marquis of *Wellington*, so long as the same should endure, and that the said Premises should also be unalienable until there should be a Failure of Issue of the Body of the said Marquis of *Wellington*; but Doubts may arise whether the Manors, Lands, Tenements and Hereditaments so to be purchased as aforesaid, would be unalienable, by reason that no express Provision for that Purpose is contained in the said recited Act: Be it therefore 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 so long as the said Title, Honour and Dignity of Marquis of *Wellington* shall endure, and until there shall be a Failure of Issue of the Body of the said Marquis of *Wellington*, neither

53 G. 3. c. 4.

§ 1.

§ 7.

§ 7.

Premises purchased under recited Act shall be unalienable

until a Failure of Issue.

the said Marquis of *Wellington*, nor any other Person to whom the Manors, Lands, Tenements and Hereditaments so to be purchased shall or may descend or stand limited by virtue of the Limitations directed by the said recited Act, shall have any Power, by Fine or Recovery, or by the Exercise of any Power, or by any other Act, Assurance or Conveyance in the Law, to hinder, bar or disinherit any the Person or Persons to or upon whom the said Manors, Lands, Tenements and Hereditaments are by the said recited Act to be vested or limited from holding or enjoying the same, according to the said Limitations, other than and except such Leases and Jointures, and Power of felling and selling Timber, and disposing of the Monies thence arising, as may be made or exercised under the Provisions of the said recited Act, and Grants of Lands or Tenements held by Copy of Court Roll, according to the Customs of the respective Manors to be purchased, whereof the same may be held, but all such Fines, Recoveries, Acts, Assurances and Conveyances, other than such Leases and Jointures, and Powers and Grants, by Copy as aforesaid, shall be and are hereby declared and enacted to be void.

On Failure of Heirs of Marquis of *Wellington*, Premises shall vest in Fee Simple, and may be disposed of by Deed or Will.

II. And be it further enacted, That on failure of the Heirs of the Body of the said Marquis of *Wellington*, the Manors, Lands, Tenements and Hereditaments so to be purchased as aforesaid, shall go and remain to the Use of the said Marquis and his Heirs and Assigns, which ultimate Remainder or Reversion in Fee Simple it shall be lawful for the said Marquis of *Wellington*, and his Heirs and Assigns, at any time or times during the Continuance of the said Honour, Title and Dignity of Marquis of *Wellington*, and until there shall be a Failure of Issue of his Body, notwithstanding any thing hereinbefore contained, to grant, convey, devise or dispose of, by Deed or Will, or other Assurance or Assurances by which Freehold Estates in Remainder or Reversion are capable by Law of being conveyed or disposed of.

Mansion House built and Pleasure Grounds provided.

III. Provided always, and be it further enacted, That it shall and may be lawful to and for the Persons by the said Act authorized, so invest a Sum not exceeding One hundred thousand Pounds in the manner aforesaid, to erect and build, or cause to be erected and built upon Part of the Land which shall be purchased as aforesaid, a Mansion House, with suitable Out Offices and Out Buildings which in their Discretion and Judgment shall be suitable and fit for the Residence of the Marquis of *Wellington* for the time being, and to lay out and appropriate, according to such Discretion and Judgment, any Part or Parts of such Land to be so purchased as and for a Garden or Gardens, and as and for a Park or Pleasure Ground or Grounds, and to make, erect and build, or cause to be made, erected and built thereon, such Edifices or Buildings, and Walls and Fences as shall, according to such Discretion and Judgment, be fitting and proper, and to pay and apply a sufficient Part of the said Sum of One hundred thousand Pounds, but not exceeding the Sum of Ten thousand Pounds in satisfying and discharging the Costs and Expences of erecting and building such Mansion House, Out Offices and Out Buildings, and of making, erecting and building such other Erections, Walls and Fences, and laying out and appropriating such Garden or Gardens, Park or Pleasure Ground or Grounds as aforesaid, and of making such Avenues, Walks and Rides, Borders and Divisions, in the same Garden or Gardens, Park and Pleasure Ground

Ground or Grounds, and of planting and furnishing the same respectively with such Trees, Roots, Shrubs and Plants, as in such Discretion and Judgment as aforesaid shall be fit and proper; and also that it shall and may be lawful to and for the Persons so authorized by the said recited Act to make such Investment as aforesaid, to pull down or cause to be pulled down any Erections or Buildings that shall or may be standing or being upon the Lands which shall be so purchased as aforesaid, and to sell and dispose of all or any of the old Materials, and to give sufficient Receipts or Discharges for the Price at which the same Materials or any Part or Parts thereof shall be sold, or otherwise to cause such Materials or any Part thereof to be used and worked up in making such new Erections or Buildings, or other Works as aforesaid, or in such Repairs or other Works as hereinafter mentioned; all which Sum or Sums to be received as the Price of old Materials sold as aforesaid shall be possessed by the Persons receiving the same, on the like Trusts as are by the said recited Act declared of the Money thereby authorized to be paid to Trustees thereby appointed as aforesaid.

IV. Provided also, and it is hereby further enacted, That in case the Persons authorized to make such Investment as aforesaid shall think it fitting, it shall and may be lawful to and for them, and they are hereby authorized to repair and put in complete Repair, and make any Additions to or Alterations in any Messuage or Mansion House, Out Offices and Out Buildings, that shall or may be standing or being upon the Land which shall be so purchased as aforesaid, and to make any Erections or Buildings, Plantations or other Improvements, or any Alterations in or Additions to, or Substitutions for all or any Part of the Land so to be purchased, which shall have been already laid out, or shall be deemed proper to be laid out as and for a Garden or Gardens, Park or Pleasure Ground or Grounds, so as in the Judgment and Discretion of the same Persons to render the whole fit for such Residence as aforesaid, and to pay and apply a sufficient Part of the said Sum of One hundred thousand Pounds, but not exceeding the Sum of Ten thousand Pounds, in satisfying and discharging the Costs and Expences of such Repairs, Alterations, Additions, Substitutions and Improvements last hereinbefore mentioned.

Buildings already erected altered for Mansion House.

#### C A P. CXXXIV.

An Act to amend an Act of the Forty sixth Year of His present Majesty, for settling and securing a certain Annuity, and for purchasing an Estate for the Earl Nelson.

[12th July 1813.]

WHEREAS by an Act passed in the Forty sixth Year of the Reign of His present Majesty, intituled *An Act for settling and securing a certain Annuity on the Earl Nelson and the Heirs Male of his Body, and such other Persons to whom the Title of Earl Nelson may descend; and for granting a Sum of Money to purchase an Estate to accompany the said Title; and also for granting a Sum of Money for the Use of the Sisters of the late Vice Admiral Viscount Nelson, in Consideration of the eminent and signal Services performed by the said late Viscount Nelson to His Majesty and the Public*, a Sum not exceeding Ninety thousand Pounds was granted

46 G. 3. c. 146.

§ 2.

§ 17. ' out of the Consolidated Fund of *Great Britain*, to the Speaker of the  
 ' House of Commons, the Lord High Treasurer of *Great Britain*,  
 ' or First Lord Commissioner of the Treasury, the Chancellor of the  
 ' Exchequer, the First Lord Commissioner of the Admiralty and the  
 ' Treasurer of the Navy for the time being respectively, the Honour-  
 ' able *George Walpole*, *Alexander Davison* Esquire and *William*  
 ' *Hastlewood* Esquire, who were thereby required to invest the same  
 ' in the Purchase of a Mansion House, and of any Freehold Manors,  
 ' Lands, Tenements and Hereditaments of a good Estate of Inhe-  
 ' ritage in Fee Simple, in Possession to be free from Incumbrances,  
 ' except Fee Farm Rents and Quit Rents, and other Rents and Ser-  
 ' vices, and to be situate in any Part of *Great Britain*, and the Man-  
 ' sion House to be called *Trafalgar House*; and it was enacted,  
 ' That the said Mansion House, Freehold Manors, Lands, Tene-  
 ' ments and Hereditaments should when so purchased be forthwith  
 ' settled, conveyed and assured to the Use of the Reverend *William*  
 ' *Earl Nelson* and the Heirs Male of the Body of the said *Earl*  
 ' *Nelson*, and to such other Person to whom the Title, Honour and  
 ' Dignity of *Earl Nelson* should descend, pursuant to the Limita-  
 ' tions of the Patent whereby the said Dignity was granted: And  
 ' whereas it was intended that the Mansion House, Freehold Manors,  
 ' Lands, Tenements and Hereditaments so to be purchased should  
 ' always go along and be enjoyed with the said Title, Honour and  
 ' Dignity of *Earl Nelson*, so long as the same should endure; but  
 ' Doubts may arise whether the Mansion House, Freehold Manors,  
 ' Lands, Tenements and Hereditaments, so to be purchased as  
 ' aforesaid, would, during the Continuance of the said Title, Honour  
 ' and Dignity, be unalienable, by reason that no express Provision for  
 ' that Purpose is contained in the said recited Act; 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 so long as the said Title, Honour and Dignity of  
 ' *Earl Nelson* shall endure, neither the said *Earl Nelson*, nor any other  
 ' Person to whom the Mansion House, Freehold Manors, Lands, Tene-  
 ' ments and Hereditaments so to be purchased, shall or may descend,  
 ' or stand limited by virtue of the Limitations directed by the said  
 ' recited Act, shall have any Power by Fine or Recovery, or by the  
 ' Exercise of any Power, or by any other Act, Assurance or Con-  
 ' veyance in the Law, to hinder, bar or disinherit any the Person or  
 ' Persons to or upon whom the said Mansion House, Freehold Manors,  
 ' Lands, Tenements and Hereditaments, are by the said recited Act  
 ' to be vested or limited from holding or enjoying the same accord-  
 ' ing to the said Limitations, other than and except such Leases and  
 ' Powers of felling and felling Timber, and disposing of the Monies  
 ' thereon arising, as may be made or exercised under the Provisions of  
 ' the said recited Act, and Grants of Lands or Tenements held by  
 ' Copy of Court Roll, according to the Customs of the respective  
 ' Manors to be purchased, whereof the same may be held; but all such  
 ' Fines, Recoveries, Acts, Assurances and Conveyances, other than such  
 ' Leases and Powers, and Grants by Copy as aforesaid, shall be and are  
 ' hereby declared and enacted to be void.

Premises pur-  
 chased under  
 recited Act shall  
 be unalienable.

On Failure of  
 Title, Premises  
 shall become Fee

II. And be it further enacted, That on Failure of the Heirs Male  
 of the Body of the said *William Earl Nelson*, and on Failure of the  
 said



said Title, Honour and Dignity of Earl *Nelson*, the Mansion House, Freehold Manors, Lands, Tenements and Hereditaments so to be purchased as aforesaid, shall remain to the Use of the said *William Earl Nelson*, and his Heirs and Assigns for ever, which ultimate Remainder or Reversion in Fee Simple, it shall be lawful for the said *William Earl Nelson*, his Heirs and Assigns, at any time or times during the Continuance of the said Title, Honour and Dignity of Earl *Nelson*, and notwithstanding any thing hereinbefore contained, to grant, convey, devise or dispose of, by Deed or Will, or other Assurance or Assurances whereby Freehold Estates in Remainder or Reversion are by Law capable of being conveyed or disposed of.

Simple, and may be disposed of by Deed or Will.

III. Provided always, and be it further enacted, That it shall and may be lawful to and for the Persons by the said recited Act authorized, to invest a Sum not exceeding Ninety thousand Pounds in the manner aforesaid, to erect and build, or cause to be erected and built, upon Part of the Land which shall be purchased as aforesaid, a Mansion House, with suitable Out Offices and Out Buildings, which in their Discretion and Judgment shall be suitable and fit for the Residence of the Earl *Nelson* for the time being, and to lay out and appropriate, according to such Discretion and Judgment, any Part or Parts of such Land to be so purchased, as and for a Garden or Gardens, and as and for a Park or Pleasure Ground or Grounds, and to make, erect and build, or cause to be made, erected and built thereon, such Edifices or Buildings, and Walls and Fences as shall, according to such Discretion and Judgment, be fitting and proper, and to pay and apply a sufficient Part of the said Sum of Ninety thousand Pounds, but not exceeding the Sum of Ten thousand Pounds, in satisfying and discharging the Costs and Expences of erecting and building such Mansion House, Out Offices and Out Buildings, and of making, erecting and building such other Erections, Walls and Fences, and laying out and appropriating such Garden or Gardens, Park or Pleasure Ground or Grounds as aforesaid, and of making such Avenues, Walks and Rides, Borders and Divisions in the same Garden or Gardens, Park and Pleasure Ground or Grounds, and of planting and furnishing the same respectively with such Trees, Roots, Shrubs and Plants, as in such Discretion and Judgment as aforesaid shall be fit and proper; and also that it shall and may be lawful to and for the Persons so authorized by the said recited Act to make such Investments as aforesaid, to pull down or cause to be pulled down any Erections or Buildings that shall or may be standing or being upon the Lands which shall be so purchased as aforesaid, and to sell and dispose of all or any of the old Materials, and to give sufficient Receipts or Discharges for the Price at which the same Materials or any Part or Parts thereof shall be sold, or otherwise to cause such Materials or any Part thereof to be used and worked up in making such new Erections or Buildings, or other Works as aforesaid, or in such Repairs or other Works as hereinafter mentioned; all which Sum or Sums to be received as the Price of old Materials sold as aforesaid, shall be possessed by the Persons receiving the same, upon the like Trusts as are by the said recited Act declared of the Money thereby authorized to be paid to Trustees thereby appointed as aforesaid.

Mansion House built and Pleasure Grounds provided.

IV. Provided also, and it is hereby enacted, That in case the Persons authorized to make such Investment as aforesaid shall think

Buildings already erected altered for Mansion House.

it fitting, it shall and may be lawful to and for them, and they are hereby authorized to repair and put in complete Repair, and make any Additions to or Alterations in any Messuage or Mansion House, Out Offices and Out Buildings, that shall or may be standing or being upon the Lands which shall be so purchased as aforesaid, and to make any Erections or Buildings, Plantations or other Improvements, or any Alterations in or Additions to, or Substitutions for all or any Part or Parts of the Lands so to be purchased, which shall have been already laid out, or shall be deemed proper to be laid out as and for a Garden or Gardens, Park or Pleasure Ground or Grounds, so as in the Judgment and Discretion of the same Persons to render the whole fit for such Residence as aforesaid, and to pay and apply sufficient Part of the said Sum of Ninety thousand Pounds, but not exceeding the Sum of Ten thousand Pounds, in satisfying and discharging the Costs and Expences of such Repairs, Alterations, Additions, Substitutions and Improvements last hereinbefore mentioned.

## C A P. CXXXV.

An Act to continue, until the First Day of *August* One thousand eight hundred and fifteen, Two Acts of the Forty fifth and Fiftieth Years of His present Majesty, allowing the bringing of Coals, Culm and Cinders, to *London* and *Westminster*, by Inland Navigation. [12th July 1813.]

50 G. 3. c. 110.

‘ WHEREAS an Act was passed in the Fiftieth Year of the Reign of His present Majesty, intituled *An Act to allow until the First Day of August One thousand eight hundred and eleven, the bringing of Coals, Culm and Cinders, to London and Westminster, by Inland Navigation*, which was continued by an Act of the Fifty first Year of His present Majesty’s Reign until the First Day of *August* One thousand eight hundred and thirteen; and it is expedient that the Act should be further continued;’ 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 shall be and the same is hereby continued from the First Day of *August* One thousand eight hundred and thirteen until the First Day of *August* One thousand eight hundred and fifteen.

continued.

45 G. 3. c. 128.

‘ II. And whereas by an Act passed in the Forty fifth Year of the Reign of His present Majesty, intituled *An Act for allowing under certain Restrictions until the First Day of August One thousand eight hundred and six, the bringing a limited Quantity of Coals, Culm or Cinders, to London and Westminster, by Inland Navigation*; certain Duties were imposed on all Coals, Culm or Cinders brought along the Grand Junction or *Paddington* Canals nearer to *London* than the Stone or Post thereby required to be erected and maintained on or near to the Towing Path of the said Grand Junction Canal, at or near the North East Point of *Grove Park*, and contiguous to the Wharf then in the Possession and Occupation of the Earl of *Clarendon*: And whereas the Amount of the said Duties was altered by Three Acts of the Forty sixth, Forty seventh and Forty eighth Years of the Reign of His present Majesty: And

‘ whereas

46 G. 3. c. 104.

47 G. 3. Sess. I.

48 G. 3. c. 95.

whereas by Schedule A. annexed to an Act passed in the Forty ninth Year of the Reign of His present Majesty, intituled *An Act for repealing the several Duties of Customs chargeable in Great Britain, and for granting other Duties in lieu thereof*; other Duties are imposed in lieu thereof upon the said limited Quantity of Coals, Culm and Cinders, under the Conditions, Regulations and Restrictions of the said first recited Act: And whereas the said recited Acts were further continued by an Act of the Fifty first Year of His present Majesty, until the First Day of August One thousand eight hundred and thirteen: And whereas it is expedient that the said Acts should be further continued; Be it therefore enacted, That the said first recited Act of the Forty fifth Year of the Reign of His present Majesty, so far as the same relates to the Conditions, Regulations and Restrictions under which the said limited Quantity of Coals, Culm and Cinders may be brought within One Year by the said Grand Junction and Paddington Canals, nearer to London than the said Stone or Post; and the said recited Act of the Forty ninth Year of His present Majesty, regarding the Amount of the Duties chargeable thereon, and the Appropriation thereof, shall be, and the same are hereby further continued until the First Day of August One thousand eight hundred and fifteen.

49 G. 3. c. 98.  
51 G. 3. c. 29.  
45 G. 3. c. 128.  
49 G. 3. c. 98.  
Sch. A. Coast-wife, so far as herein specified, continued.

C A P. CXXXVI.

An Act for granting to His Majesty certain Sums of Money out of the Consolidated Fund of *Great Britain*; and for applying certain Monies therein mentioned, for the Service of the Year One thousand eight hundred and thirteen; and for further appropriating the Supplies granted in this Session of Parliament.

[12th July 1813.]

§ I.	£500,000	o o	Out of Surplus of <i>British</i> Consolidated Fund	} Granted to make good the Supply for Service of <i>Great Britain</i> for 1813.	
II.	8,000,000	o o	Part of Sum remaining in the Exchequer to complete 20,400,000 granted out of Produce of War Taxes for 1812		
III.	21,000,000	o o	From the War Duties		
IV.	5,862,900	o o	Exchequer Bills charged upon Supplies for 1812, subscribed to be funded pursuant to the Resolutions of the House of Commons of 1st April and 4th May 1813		
V.	531,096	o o	From Sale of Old Naval and Victualling Stores	} For Naval Services hereinafter expressed. See § IX.	
VI.	70,812	o o	Ditto - - -		} For Service of <i>Ireland</i> , &c. See § XXV. &c.
VII.	The following Sums, viz.			} Appropriated to Uses hereinafter expressed. See § IX. &c.	
	Produce of Malt and Pension Act, not exceeding				
	3,000,000	o o	- - -		53 G. 3. c. 15.
	10,500,000	o o	Exchequer Bills		c. 16.
	5,000,000	o o	Ditto		c. 26.
	1,500,000	o o	Ditto		c. 27.
	550,600	o o	Debentures	c. 41.	

£248,700	o o	Debentures	- -	53 G. 3. c. 53.
27,600,000	o o	Annuities (after remitting 6,000,000 <i>l.</i> to Ireland)	- - - - -	c. 69.
<b>Lotteries</b>				
		(deducting One third for Ireland)	- - - - -	c. 93.
1,000,000	o o	Exchequer Bills	- - - - -	c. 119.
5,670,700	o o	Ditto	- - - - -	c. 118.
8,000,000	o o	Part of Monies remaining to be received 12th Feb. 1813 to complete 20,400,000 <i>l.</i> granted out of Produce of War Taxes 1812.	- - - - -	
21,000,000	o o	(granted above, § III.)		
5,862,900	o o	(granted above, § IV.)		
531,096	o o	(granted above, § V.)		
500,000	o o	(granted above, § I.)		

Appropriated to Uses hereinafter expressed. See § IX. &c.

VIII.

The following Sums, viz.				
2,000,000	o o	Annuities and Treasury Bills	coming into the <i>Irisb</i>	53 G. 3. c. 61.
6,000,000	o o	Annuities	Exchequer under the	c. 69.
330,000	o o	Treasury Bills	Acts	c. 93.
70,812	o o	(granted above, § VI.)		c. 80.

Appropriated to Uses hereinafter expressed. See § XXV. &c.

IX.

<b>Appropriation, viz.</b>				
21,212,011	11 7	For Naval Services; that is to say, £ s. d.		
3,230,500	o o	For 140,000 Men,	1 15 6	For 13 Months.
4,299,750	o o	For Victuals,	2 7 3	
3,549,000	o o	For Wear and Tear of Ships,	1 19 0	
637,000	o o	For Ordnance for Sea Service,	0 7 0	
1,255,932	10 10	For Salaries and Expences of Admiralty, &c.		For the Year 1813.
444,203	o 2	For Half Pay, &c. to Officers of Navy and Marines, &c.		
100,000	o o	For Sick Prisoners of War at Home and Abroad		
1,050,000	o o	For Prisoners of War in Health at Home and Abroad		
277,754	10 8	For Sick and Wounded Seamen at Home and Abroad		
2,330,943	o o	For Hire of Transports		
2,822,031	o o	For Building and Repairs of Ships of War and Extras		
1,043,302	o o	For Provisions for Troops and Garrisons on Foreign Stations, and Rations for Troops embarked on board Transports		
57,793	o 7	For Superannuations, &c. in Admiralty		
40,510	16 0	For Salaries, Stationary and Contingencies of Transport Office		
1,291	13 4	For Superannuations, &c. to Clerks, &c. belonging to Transport Service		

£72,000

	£72,000	0	0	For Breakwater in <i>Plymouth</i> Sound.	
X.	2,000,000	0	0	For <i>Portugal</i> , " to enable His Majesty to maintain in his Pay a Body of <i>Portuguese</i> Troops, " and to give such further Aid and Assistance " to the Government of <i>Portugal</i> as the Nature " of the Contest in which His Majesty is engaged may appear to him to require."	
XI.	400,000	0	0	For Engagements with His <i>Sicilian</i> Majesty.	
XII.	200,000	0	0	For Relief of Inhabitants of <i>Russia</i> having suffered by the <i>French</i> Invasion.	
XIII.	1,000,000	0	0	For Engagements with the King of <i>Sweden</i> .	
XIV.	33,089,334	16	6	For Land Forces and other Services; that is to say,	
	7,967,201	1	11	For Land Forces at Home and Abroad (except in the <i>East Indies</i> , Foreign Corps, in <i>British</i> Pay and embodied Militia) - -	
	30,236	10	10	For Five Troops of Dragoons and Seventeen Companies of Foot for recruiting Corps serving in <i>India</i> -	From 25th Dec. 1812, to 24th Dec. 1813.
	3,082,491	1	5	For Embodied Militia of <i>Great Britain</i> and <i>Ireland</i> , and of the Royal Corps of Miners of <i>Devon</i> and <i>Cornwall</i> - -	
	33,029	8	4	For Full Pay of Supernumerary Officers of Forces	For the Year 1813.
	330,026	0	0	For Barrack Department -	
	2,256,223	1	8	For Commissary in Chief's Department - -	
	131,900	0	0	For Storekeeper General's Department - -	
	320,161	17	2	For principal Officers of several Public Departments in <i>Great Britain</i> and <i>Ireland</i> , their Deputies, Clerks and Contingent Expences, and Amount of Exchequer Fees to be paid by the Paymasters General -	
	216,997	4	8	For Half Pay to reduced Officers of Land Forces including <i>British</i> American Forces and <i>Scotch</i> Brigade, late in the Service of the <i>States General</i> -	From 25th Dec. 1812, to 24th Dec. 1813.
	14,695	19	6	For Military Allowances to reduced Officers of Land Forces, including <i>British</i> American Forces -	
	563,089	28	1	For In and Out Pensioners of <i>Chelsea</i> and <i>Kilmainham</i>	

P P 4

Hospitals,

			Hospitals, and Expences of the Hospitals
£58,114	18	9	For Pensions to Widows of Officers of Land Forces, and Expences attending the same in <i>Great Britain and Ireland</i>
475,400	1	7	For Volunteer Corps in <i>Great Britain and Ireland</i>
636,623	0	0	For Local Militia Force in <i>Great Britain</i>
1,236,674	18	9	For Foreign Corps in Service of <i>Great Britain and Ireland</i>
21,317	15	5	For Allowances to retired Chaplains and to Clergymen officiating with Forces at Home and Abroad, and Expences of Office of Chaplain General, &c.
127,081	11	3	For Medicines and Surgical Materials for Land Forces and Hospital Contingencies
30,055	9	10	For Allowances on Compassionate Lift to Children of deceased Officers of Land Forces, and to Widows of Officers of said Forces not entitled to Pensions, including Allowances as of His Majesty's Royal Bounty to several Officers, and to Relatives of certain deceased Officers
460,587	6	4	For Barrack Department in <i>Ireland</i>
295,605	5	4	For Commissariat Department in <i>Ireland</i> , and Forage for Cavalry there
16,005	17	2	For Allowances, Compensations and Emoluments in the Nature of Superannuation or retired Allowances to Persons belonging to several Public Departments in <i>Great Britain and Ireland</i> in respect of their having held Public Offices of a Civil Nature
623,019	6	6	For General and Staff Officers and Officers of Hospital serving with Forces, and Charge of Garrisons

From  
25th Dec. 1812, to  
24th Dec. 1813.

£9,500,000

	£9,500,000	0	0	For Extraordinary Services of Army of Great Britain and Ireland	} For the Year 1813.
	4,662,797	2	0	For Extraordinary Expences of Army from 25th Dec. 1811, to 24th Dec. 1812.	
XV.	3,700,499	7	5	For Office of Ordnance for Land Service for Great Britain for 1813.	
	70,948	13	3	Ditto	} not provided for in { 1811. 1812.
	67,319	0	3	Ditto	
	80,456	2	2	For Office of Ordnance for Great Britain on Account of Allowances to Superannuated, &c. Officers, to Officers seconded, to Officers for good Services, to Officers losing an Eye or a Limb, to superannuated and disabled Men and Pensions to Widows, &c. of deceased Officers late belonging to several Ordnance Military Corps	} For the Year 1813.
	5,211	0	3	Ditto not provided for in 1812.	
	20,142	18	6	For Allowances, &c. in the Nature of superannuated or retired Allowances to Persons late belonging to Office of Ordnance in Great Britain in respect of their having held any Public Offices or Employments of a Civil Nature, and also for Widows' Pensions	
	505,211	5	3	For Office of Ordnance for Ireland	
	11,474	4	4	Ditto, for Pay of retired Officers of late <i>Irisb</i> Artillery, &c. and Pensions to Widows of deceased Officers of the same	} For the Year 1813.
	3,011	6	9	For Allowances, &c. in the Nature of superannuated or retired Allowances to Persons late belonging to Office of Ordnance in Ireland, in respect of their having held any Public Offices or Employments of a Civil Nature, and also for Widows' Pensions	
XVI.	10,500,000	0	0	For discharging outstanding Exchequer Bills under	
XVII.	8,000,000	0	0	Ditto for the Service of the Year 1812.	

XVIII.	£1,500,000	o	o	For discharging Outstanding Exchequer Bills for the Service of the Year 1812,	52 G. 3. c. 5.
XIX.	5,000,000	o	o	Ditto	c. 86.
XX.	2,249,400	o	o	Ditto	c. 164.
XXI.	14,715	10	10	To make good like Sum issued pursuant to Addresses of the House of Commons, not made good by Parliament.	
XXII.	3,966	19	11	Ditto.	
XXIII.	Civil Establishments, viz.				
	8,441	o	o	Upper Canada	} From 1st Jan. to 31st Dec. 1813.
	11,294	19	8	Newa Scotia	
	5,625	o	o	New Brunswick	
	3,296	10	o	Bahama Islands	
	1,023	o	o	Bermuda or Somer's Islands	
	4,002	o	o	Newfoundland	
	5,313	o	o	Prince Edward's Island	
	2,644	o	o	Cape Breton	
	600	o	o	Dominica (Salary of Chief Justice)	
	14,102	o	o	Sierra Leone	
	13,295	o	10	New South Wales	
	25,000	o	o	For Forts on Coast of Africa for 1813.	
XXIV.	1,317	1	o	For Court House for <i>Marjbal-sea</i> Court	
	19,000	o	o	For American Loyalists	
	6,000	o	o	For <i>Saint Domingo</i> Sufferers	
	123,000	o	o	For Clergy and Laity of <i>France</i>	
	4,000	o	o	For <i>French</i> and <i>Corfican</i>	
	11,500	o	o	For <i>Toulonese</i> and <i>Corfican</i> Emigrants	
	3,500	o	o	For <i>Dutch</i>	
	3,400	o	o	For <i>French</i> Emigrants in <i>Jersey</i> and <i>Guernsey</i>	
	2,889	15	7½	For Charges heretofore paid out of Proceeds of Old Naval Stores.	
	112	7	8	To <i>William James Cook</i> Esquire, to pay Fees on Knighthood of Captain <i>George Eyre</i> .	
	3,000	o	o	To <i>Benjamin Easton</i> Esquire, to pay Fees on passing Public Accounts.	
	2,245	5	8	To <i>John Rickman</i> Esquire, for preparing Abstract of Schedules of Population of <i>Great Britain</i> , and Expences.	
	428	13	o	To <i>George Holford</i> Esquire, to pay Premiums to Three Architects for Plans for Penitentiary House.	
	1,146	o	o	To <i>Peter Grant</i> Esquire, for Commissioners for enquiring into Conduct of Business in Office of Works.	
	271	11	o	To Doctor <i>Thomas Brooke Clarke</i> , for Returns of Non-residence of Clergy for Half a Year, ending 5th July 1812.	
	520	1	6	To Lieutenant <i>Nicholas Charles Dobree</i> , as a Gratuity for bringing from <i>Sweden</i> the Treaties between <i>Russia</i> and that Country.	

To make good Money issued out of Civil List.



£26	9	2½	To <i>Philip Cipriani</i> Esquire, to pay Bill drawn by Sir <i>George Beckwith</i> from <i>Barbadoes</i> , for Support of <i>Africans</i> .
4,574	0	6	To <i>Frederick Nicolay</i> Esquire, to pay Bills drawn by Lieutenant Governor <i>Maclean</i> for <i>Africans</i> on Board the <i>Falcon</i> .
3,093	14	0	To <i>James Read</i> Esquire, for Horse Patrole for Half a Year, ending 10th <i>Oct.</i> 1812.
633	6	0	To <i>John Harriott</i> Esquire, and other Magistrates of <i>Thames</i> Police Office, for Plan for Security of Shipping in the Port of <i>London</i> .
1,249	16	0	To Messrs. <i>Gurney's</i> for attending Public Committees of House of Commons last Session.
145	9	6	To <i>Edward Walmisley</i> Esquire, for preparing 45th Vol. of Lords' Journals for Press.
1,684	18	0	To <i>Thomas Brodie</i> Esquire, for incidental Expences in forming Indexes to Journals of the Lords.
428	13	0	To <i>John France</i> Esquire, for assisting in making Index to Rolls of Parliament.
2,631	4	6	To Lord <i>Walsingham</i> , as Chairman of Committees of House of Peers, in 1812.
1,582	9	0	To <i>Edward Stracey</i> Esquire, for attending as Counsel upon Chairman of Committees of House of Peers.
1,582	8	6	To <i>William Watson</i> Esquire, Serjeant at Arms to House of Lords in 1812.
963	1	3	To <i>George Saunders</i> Esquire, for investigating Accounts for Public Works done under Superintendance of <i>James Wyatt</i> Esquire.
400	4	0	To <i>George Dickens</i> and <i>John Church</i> Esquires, for Stationary for Public Service at <i>New South Wales</i> .
2,059	5	0	To <i>Richard Troward</i> Esquire, for Expences incurred in carrying on Impeachment against <i>Warren Hastings</i> Esquire.
372	6	0	To <i>William Speer</i> Esquire, in Re-imburement of Fees and Charges on Money issued to Commissioners appointed to examine into Laws relating to Election of Jurats, in Island of <i>Jersey</i> .
117	4	8	To <i>James Chapman</i> Esquire, to pay Fees on Commission for enquiring into State of Islands of <i>Malta</i> and <i>Gozo</i> .
7,933	7	0	To <i>William O'Court</i> and <i>John Burrowes</i> Esquires, and <i>William Meyer</i> Esquire, Secretary, Compensation for Services under a Commission for enquiring into State of Island of <i>Malta</i> .

To make good Money issued out of Civil List.

£3,509

£3,509	8	9	For Repairing <i>Henry</i> the Seventh's Chapel	} For the Year 1813.	
10,000	0	0	For Roads and Bridges in the Highlands of <i>Scotland</i>		
50,000	0	0	For Inland Navigation from the <i>Eastern</i> to the <i>Western</i> Sea by <i>Inverness</i> and <i>Fort William</i>		
1,880	0	0	For Salaries of certain Officers of Two Houses of Parliament		
2,000	0	0	For Fees on passing Public Accounts		
20,000	0	0	For Law Charges		
4,200	0	0	For Expences incident to Two Houses of Parliament		
11,000	0	0	To Sheriffs for Conviction of Felons and Over-payments		
172	14	6	For Deficiency of Grant of last Session for Printing Votes of House of Commons.		
2,000	0	0	For Printing Votes of House of Commons during the present Session.		
3,400	0	0	For Stationary for Two Houses of Parliament		
2,118	4	7	For Bills of Usher of Court of Exchequer for supplying Court and Officers with Stationary, repairing the Court, and Fees to Officers		
1,166	14	10	To pay Charitable Allowances to Poor of <i>Saint Martins in the Fields et alia</i>		} For the Year 1813.
80,000	0	0	For Bills drawn from <i>New South Wales</i>		
8,732	15	3	For Superintendance of Aliens		
4,500	0	0	For Extraordinary Expences for Prosecutions, &c. relating to the Coin		
12,000	0	0	For Public Office <i>Bow Street</i>		
85,000	0	0	For completing Royal Military College at <i>Sandhurst</i> .		
10,000	0	0	For <i>Holyhead</i> Harbour		
11,298	11	4	For Deficiency of Grant of last Session for Printing Bills, &c. by Order of House of Commons.		
16,000	0	0	For Printing Bills, &c. by Order of House of Commons this Session.		

£2,500

£2,500	0	0	For Printing 1,750 Copies of Vol. 66. of Journals of the House of Commons	} In the Year 1813.
10,000	0	0	For Reprinting 6 Vols. of Journals of the House of Commons	
75,000	0	0	For Maintaining, &c. Convicts at Home	
38,997	10	1	For Royal Military College	} From
27,096	11	11	Asylum at <i>Chelsea</i>	
10,511	1	6½	For Deficiency of Grant of last Session for Printing for House of Lords, and for Printing Acts of Parliament for 1812.	
26,000	0	0	For Printing for House of Lords, and Printing Acts of Parliament	} For the Year 1813.
175,000	0	0	For Secret Services	
15,500	0	0	For extra Charge for Contingencies of the Three Secretaries of State	
9,000	0	0	— Messengers of the Three Secretaries of State	
1,615	14	0	For Protestant Dissenting Ministers in <i>England</i>	} For the Year 1813.
753	12	6	Ditto - <i>Ireland</i>	
131,225	10	9	For paying { 5th April } 1813, Interest of certain	} From
52,830	10	0	off on { 10th Oct. } Annuities at £5 per Cent.	
39,234	1	6	For completing Building of <i>Bethlem</i> Hospital, and Furniture.	
1,800,000	0	0	For Interest on Exchequer Bills.	
2,000,000	0	0	To <i>East India</i> Company for Expences incurred in the Public Service.	
260,000	0	0	For Reduction of National Debt for Year ending 1st Feb. 1814.	
11,000	0	0	For Gaol and other Buildings at <i>Edinburgh</i> .	} For the Year 1813.
1,632	7	9	For Improvements in <i>Westminster</i>	
1,718	4	0	For <i>French</i> Refugee Clergy	
25,257	2	7	For Expence of <i>Royal Naval Asylum</i> calculated for 1,000 Children	} From
22,013	6	0	For Buildings at <i>Royal Naval Asylum</i>	
£28,407	0	0	For Penitentiary House at <i>Millbank</i>	} For the Year 1813.
3,000	0	0	For Board of Agriculture.	
25,000	0	0	For Sufferers by the Volcanic Eruption in the Island of <i>Saint Vincent</i> in 1812.	
100,000	0	0	To Governors of <i>Queen Anne's Bounty</i> .	
3,235	17	2	For Printing 1,250 Copies each of Vol. 46. and 47. of Journals of House of Peers.	

£501	9	2½	For Deficiency of Grant for 1811 for Printing 1,750 Copies of Vol. 63. and 64. of Journals of House of Commons for Sessions 1808 and 1809.	
266	13	4	For Superannuation Allowance to <i>Joseph Planta</i> Esquire formerly one of Paymasters of Exchequer Bills	} For the Year 1813.
60	0	0	Ditto <i>John Pingo</i> formerly Assistant Engraver at the Mint	
170	0	0	For Superannuation Allowance to <i>Edward Royer</i> formerly Clerk in Lottery Office	
320	0	0	Ditto to Two retired Clerks formerly employed in Office of Commissioners for Auditing Public Accounts	
2,647	10	0½	For Works and Repairs at <i>Fleet Prison</i> in 1811 and 1812.	
3,000	0	0	For National Vaccine Establishment	} For the Year 1813.
4,600	0	0	For <i>French Refugee Laity</i>	
19,982	10	0	For Half a Year's Interest on Debentures raised this Session.	
7,197	19	1	For Trustees of <i>British Museum</i> .	
1,000	0	0	Ditto for purchasing Books respecting the <i>British Islands</i> and Possessions of the <i>British Empire</i> .	
10,000	0	0	To discharge Part of Expence for Printing Parish Registers in 1813.	
6,411	10	6	For Printing by Order of Commissioners of Public Records.	
616	13	0	} To make good Money out of Civil List.	To <i>Matthew Martin</i> Esquire, towards carrying into effect a Plan for enquiring into the State of the Mendicity of the Metropolis.
3,093	14	0		To <i>James Read</i> Esquire, for Horse Patrole for Half a Year to 5th April 1813.
424	3	0		To <i>Thomas Nettlebip</i> Esquire, for publishing Weekly Returns of Average Prices of Sugar, for One Year to 1st Oct. 1812.
141	8	0		To <i>Edward Walmisley</i> Esquire, for preparing Vol. 46. of Lords' Journals for Press.
142	16	0		Ditto Vol. 47.
521	15	0		To <i>Peter Grant</i> Esquire, for Commissioners for enquiring into Conduct of Business in Office of Works.
9,372	18	4		To <i>Charles Rixington Broughton</i> Esquire, for Expences incurred by Special Commissioners

			missioners appointed to a Mission to <i>Spanish South America</i> .
£ 4,972	0	0	To Commissioners appointed to a Mission to <i>Spanish South America</i> , as Compensation for Services.
316	13	0	To <i>John Harriott</i> Esquire, for carrying into effect a Plan for Security of Shipping in Port of London.
426	10	6	To <i>Thomas Nicholas Wittwer</i> Esquire, for investigating Accounts between the <i>East India Company</i> and the Public for One Year to 7th Sep. 1812.
4,171	3	9½	To <i>Frederick Nicolay</i> Esquire, to pay Bills drawn by Sir <i>J. F. Craddock</i> , by Lieutenant General <i>Morrison</i> and by Governor <i>Maxwell</i> for Maintenance of <i>Africans</i> .
1,004	8	5½	To <i>F. W. Bar. n</i> and <i>J. Patrick</i> , for lighting Lamps for two Houses of Parliament in Session 1812.
3,407	2	0	To Officers of Tally Court in the Receipt of the Exchequer
425	17	9	To Deputy Chamberlains of Exchequer
271	8	0	To Doctor <i>Thomas Brooke Clarke</i> , for Returns of Residence and Non Residence of Clergy for Half a Year ending 5th Jan. 1813.
6,541	3	2	For Parliamentary Services and Services of a Public Description since 5th Jan. 1812.
3,232	3	0	For Charges heretofore paid out of Proceeds of Old Naval Stores.
6,168	3	11	For Works and Repairs of Military Roads in <i>North Britain</i> for 1813.

To make good Money out of Civil List.

for joining Tallies for One Year to 5th Jan. 1813.

XXV. *Irisb* Currency.

250	0	0	[In Ireland.] Inspector General of Imports and Exports, preparing Accounts of <i>Ireland</i> .
200	0	0	First Clerk of Ditto, preparing Accounts.
200	0	0	Examinator of Excise, Ditto.
150	0	0	Assitant Examinator of Excise, Ditto.
200	0	0	Examinator of Corn Bounties, for keeping Accounts.
200	0	0	Clerk in Office of Auditor of the Exchequer, for preparing Accounts for Parliament.

XXVI.

32,965	1	0	Board of Works	For the Year 1813.
23,943	6	8	Printing, &c. for Secretaries' Offices and other Public Offices in <i>Dublin</i> Castle, &c.	For One Year ending 5th Jan. 1814.
10,500	0	0	Proclamations and other Matters in <i>Dublin</i> Gazette, &c.	
£25,000	0	0	Criminal Prosecutions and other Law Expences	
2,500	0	0	Apprehending Public Offenders	
1,047	10	2	Expence of Pratique in the Port of <i>Dublin</i>	

	740	o	o	Clothing <i>Battle Axe Guards</i>	For 18 Months from 1st Feb. 1813.
	1,086	o	o	Clothing Heralds, Purfuivants at Arms and State Trumpeters	For 3 Years from 17th March 1813.
	9,481	9	o	Non Conforming Ministers	For One Year ending 5th Jan. 1814.
	3,951	o	o	Support of Seceding Ministers from Synod of <i>Ulster</i>	For One Year ending 25th March 1814.
	2,232	o	o	Lottery Officers	For One Year due 24th June 1813.
	50,000	o	o	Harbour of <i>Howth</i> , Works at,	For the Year 1813.
	4,500	o	o	Treasury Incidents	For One Year ending 5th Jan. 1814.
	1,200	o	o	For Printing and Binding 250 Copies of Public General Acts, 53 G. 3.	
	7,500	o	o	<i>British</i> Currency. To Commissioners for enquiring into Fees and Abuses in <i>Ireland</i> .	
XXVII.	10,000	o	o	Board of First Fruits for Building Churches and Glebe Houses and purchasing Glebes	
	21,600	o	o	Trustees of the Linen and Hempen Manufactures	For One Year ending 5th Jan. 1814.
	10,000	o	o	<i>Dublin</i> Society for promoting Husbandry, &c.	
	5,000	o	o	Farming Society	
	50,000	o	o	Trustees and Commissioners of First Fruits, towards Building, &c. Churches and Chapels, &c.	
	16,548	o	o	Commissioners for making wide and convenient Streets in <i>Dublin</i>	For One Year ending 5th Jan. 1814.
	50,000	o	o	Company of Undertakers of <i>Grand Canal</i> .	
	50,000	o	o	Improving the <i>Royal Canal</i> . [See as to Application of this Sum, c. 143. post.]	
XXVIII.	2,500	o	o	<i>Cork</i> Institution	
	41,539	o	o	Protestant Charter Schools	
	33,175	o	o	<i>Foundling Hospital</i> in <i>Dublin</i>	
	52,375	o	o	House of Industry, Hospitals and Asylums for Industrious Children in <i>Dublin</i>	For One Year ending 5th Jan. 1814.
	11,707	o	o	<i>Hibernian Society</i> for Soldiers' Children at <i>Dublin</i>	
	2,876	o	o	Marine Society in <i>Dublin</i>	
	9,673	o	o	Roman Catholic College at <i>Maynooth</i>	For the Year 1813.
	2,123	o	o	Female Orphan House in Circular Road <i>Dublin</i> , for 150 Children	
	8,375	o	o	<i>Westmorland Lock Hospital</i> in <i>Dublin</i>	For One Year ending 5th Jan. 1814.

3,271

3,271	o	o	Lying in Hospital in Dublin
2,089	o	o	Building Sir Patrick Dunn's Hospital at Dublin
1,423	o	o	Doctor Stevens' Hospital at Dublin
3,000	o	o	House of Recovery and Fever Hospital Cork Street Dublin, and for maintaining 180 Patients
600	o	o	Charge of Commissioners of Charitable Donations and Bequests
4,177	o	o	Association for discountenancing Vice and promoting Christian Religion
323	10	5	Green Coat Hospital of City of Cork

For One Year ending 5th Jan. 1814.

XXIX. And be it further enacted, That all Sums of Money hereby granted to make good Money issued at the Receipt of the Exchequer out of His Majesty's Civil List Revenues, and to make good Money issued pursuant to Addresses of the House of Commons, shall be issued and paid without any Fee or other Deduction whatsoever.

Sums granted to make good Payments out of Civil List issued without Fee.

XXX. Supplies applied for Purposes  
aforesaid

XXXI. Rules for Application of Half Pay

XXXII. Half Pay to Officers of *Mass*  
Fencibles

XXXIII. \_\_\_\_\_ Chaplains of Regiments although in Possession of Ecclesiastical Benefices

As in 52 G. 3. c. 154. § 29—33.

XXXIV. Application of Overplus of Sum under 52 G. 3. c. 154. § 11. to Reduced Officers

C A P. CXXXVII.

An Act to amend the several Acts for regulating Licences for the Sale of Spirituous Liquors, Wine, Beer, Ale and Cyder; by Retail, in Ireland. [13th July 1813.]

WHEREAS by an Act made in the Forty fifth Year of the Reign of His present Majesty, intituled *An Act for regulating Licences for the Sale of Spirituous Liquors, Wine, Beer, Ale and Cyder by Retail*; and for discouraging the immoderate Use of Spirituous Liquors in Ireland, it is, amongst other things, enacted, that no Person shall be capable of receiving a Licence to sell Spirituous Liquors, Wine, Beer, Ale or Cyder by Retail, who shall not previously take and subscribe an Oath, among other things, that he or she will not permit or suffer to be sold in any House, Building, Out House, Tent, Field or other Place, for his or her Account or Profit (during the Continuance of the Licence), any Spirituous Liquors which shall not have been duly and legally permitted,

45 G. 3. c. 50.

53 Geo. III.

Q q

Regulations for  
taking out Li-  
cences for selling  
Spirits.

‘ permitted, and attended with proper Permits, to him or her, and  
‘ which shall not, to the best of his or her Knowledge or Belief,  
‘ have paid the full Duties due thereon to His Majesty ;’ 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, every  
Person requiring any such Licence shall make, take and subscribe  
that Part of the Oath hereinbefore specified, in the Presence of One  
Justice of the Peace, and the Collector, Inspector General or the  
Surveyor of Excise in the District within which such Person shall  
require to be licenced ; and such Justice, and such Surveyor, In-  
spector General or Collector, as the case may be, shall attest such  
Affidavit ; and that every Person who shall require any such Licence,  
shall produce, to the Distributor of Stamps, or other Officer or Per-  
son who is or shall be empowered by Law or appointed to grant  
such Licence, such Affidavit, signed and subscribed by such Person,  
and attested as aforesaid, and shall leave the same with such Dis-  
tributor of Stamps, or other Officer who shall transmit the same,  
when required, to the Commissioners of Inland Excise and Taxes ;  
and if any Distributor of Stamps, or other Officer, shall grant or issue  
any such Licence to any Person who shall not produce to and leave  
with him such Affidavit so made and signed and attested as aforesaid,  
such Distributor of Stamps, or other Officer, shall forfeit the Sum of  
Twenty Pounds to any Person who will sue or prosecute for the same,  
such Penalty or Forfeiture to be levied and recovered as any Penalty  
of the like Amount may be recovered and levied under and by virtue  
of the said recited Act of the Forty fifth Year, or under or by virtue  
of an Act, made in the Forty seventh Year of His present Majesty’s  
Reign, intituled *An Act to make further Regulations with respect to  
Licences for the Sale of Spirituous and other Liquors by Retail in Ire-  
land* ; and such Licence shall be, and the same is hereby declared to  
be null and void to all Intents and Purposes ; and the Person whose  
Licence shall so become null and void, shall be deemed an unlicenced  
Retailer of Spirituous Liquors, and shall be subject to such Penalties,  
Forfeitures and Disabilities, as Retailers of Spirituous Liquors  
without Licence are subject to.

Penalty.

47 G. 3. Seff. 2.  
c. 12. § 20.

Persons drink-  
ing in any  
House may be  
apprehended and  
fined if Licence  
be not pro-  
duced.

II. And be it further enacted, That whenever any Justice of the  
Peace, or Chief or High Constable, or any Officer appointed by or  
acting under the Commissioners of Customs, Excise and Stamps  
respectively, shall find any Persons drinking in any House, Shop,  
Storehouse or other Building, or any Booth or Shed, Hut, Tent,  
Stall or Place in which or where any Spirituous Liquors, Wine,  
Beer, Ale or Porter, Cyder, Perry, Metheglin or Mead shall be  
sold by Retail, and the Licence for such Sale shall not upon Demand  
be produced to such Justice of Peace, Constable or Officer accord-  
ing to Law, it shall and may be lawful for such Justice of Peace,  
Constable or Officer to apprehend all such Persons so found drink-  
ing there ; and every such Person so found drinking shall, upon Con-  
viction before any Justice of Peace in manner directed by the said  
recited Act of the Forty fifth Year aforesaid, be subject and liable to  
a Fine or Penalty not exceeding Twenty Shillings and not less than  
Five Shillings, in the Discretion of such Justice, to be paid and  
applied in such manner as is directed by the said recited Act of the  
Forty

Penalty.



Forty fifth Year aforesaid; and in case such Penalty shall not be paid by the Offender immediately upon Conviction, such Offender shall be committed to Gaol by such Justice, for any time not exceeding One Month, in the Discretion of such Justice.

Imprisonment.

No Action to be maintained on any Note, &c. for Debt contracted for Spirits.

III. And be it further enacted, That no Person shall be entitled to or shall maintain any Cause, Action or Suit, in any Civil Bill Court, before any Assistant Barrister at any General Session or Quarter Session of the Peace for any County in *Ireland*, upon any Promissory Note, Bill, Bond or other Writing, given in the Whole or in Part as a Security for the Payment of any Debt contracted for Spirituous or other Liquors sold by Retail; and it shall be lawful for the Assistant Barrister presiding at such Civil Bill Court in all cases, and he is hereby required to examine the Witnesses produced on the Trial of any such Suit or Action in any such Court, or any other Persons; and if such Assistant Barrister shall, on the Evidence of such Witnesses or other Persons, be satisfied that any Part of the Debt or Demand, or any Part of the Consideration of any Promissory Note, Bill, Bond or other Security, on account of which such Action or Suit shall be brought or prosecuted, has arisen from the Sale of Spirituous or other Liquors by Retail, it shall be lawful for such Assistant Barrister, and he is hereby required to dismiss such Action or Suit, or to nonsuit the Plaintiff therein; and to direct the Payment of Costs by such Plaintiff, in like manner as if the said Plaintiff had not had any Cause of Action or Suit whatever against the Defendant therein.

IV. And whereas it is, among other things, enacted by the said recited Act of the Forty seventh Year aforesaid, that any Grocer or Person exercising by himself or herself, or by any One for his or her own Use or Benefit, the Trade or Business of a Grocer, or who shall be licensed as a Grocer, or in whose House or in any Building occupied by him or her, or any House or Building adjoining thereto and which shall communicate with such House or Building, the Trade or Business of a Grocer shall be carried on in any Place where the Stamp Duty to be paid for a Licence to sell Spirituous or other Liquors by Retail shall not be less than Twenty two Pounds, shall be capable of being licensed in such Place to retail Spirituous Liquors, Wine, Beer, Ale or Porter, Cyder or Perry, Metheglin or Mead; Be it enacted, That, from and after the passing of this Act, whenever any such Licence shall be required by such Grocer or other Person described in the said recited Act, it shall and may be lawful for any Distributor of Stamps or other Officer empowered by Law or appointed for that Purpose, to grant such Licence to such Grocer in Places where the Stamp Duty on such Licences is Forty Pounds, upon Payment by such Grocer or Person of the Sum of Thirty Pounds only, and in Places where the Stamp Duty on such Licences is Thirty three Pounds, upon Payment by such Grocer or other Person of the Sum of Twenty five Pounds only, and in Places where the Stamp Duty on such Licences is Twenty two Pounds, upon Payment by such Grocer or other Person of the Sum of Seventeen Pounds only, upon any Piece of Parchment stamped with any Stamp denoting the Payment of such Sum of Thirty Pounds, Twenty five Pounds or Seventeen Pounds respectively; any thing in any Act or Acts to the contrary in any wise notwithstanding: Provided always, that such Grocer or

47 G. 3. Sess. 2.  
c. 12.

§ 14.

Rate paid by Grocers taking out Licence.

Provido

45 G. 3 c. 50.  
47 G. 3. Sess. 2.  
c. 12.

Person so to be licenced shall be subject to all other Rules, Regulations and Restrictions with respect to such Licence as are directed by the said recited Acts of the Forty fifth and Forty seventh Year, or any other Act or Acts in force in *Ireland*, and that no such Licence shall be transferrable to any Person other than a Grocer; and in case such Licence shall be transferred to any other Person than a Grocer, such Licence shall be and become utterly null and void; and any Person other than a Grocer who shall retail any Spirituous or other Liquors under or by virtue of or under Pretence or Colour of such Licence so granted to such Grocer, shall be deemed an unlicenced Person, and shall be liable to all Pains, Penalties and Forfeitures, as ~~are~~ inflicted by the said recited Acts of the Forty fifth and Forty seventh Years aforesaid, or any other Act or Acts in force in *Ireland* relating to such Licences.

Duty on Licences for selling Spirits reduced from 11l. to 7l.

V. And be it further enacted, That, from and after the passing of this Act, it shall and may be lawful for any Distributor of Stamps, or other Officer empowered by Law, or appointed for that Purpose, to grant any Licence to retail Spirituous or other Liquors to any Person entitled to require the same, in Places and Parts of *Ireland* where the Stamp Duty on such Licences is Eleven Pounds, upon Payment by such Persons of the Sum of Seven Pounds only, upon any Piece of Parchment stamped with any Stamp denoting the Payment of the Sum of Seven Pounds only; any thing in any Act or Acts to the contrary in any wise notwithstanding: Provided always, that every such Person so to be licenced shall be subject to all other Rules, Regulations and Restrictions with respect to such Licence as are required by the said recited Acts of the Forty fifth or Forty seventh Years, or any other Act or Acts in force in *Ireland*: Provided nevertheless, that no such Person who shall be so licenced in such Places, upon Payment of the Sum of Seven Pounds only, shall be entitled to be licenced to sell Spirituous Liquors in such Places in Quantities exceeding Two Gallons, upon Payment of any further Sum of Money whatever, nor shall sell any such Liquors in such Places in Quantities exceeding Two Gallons; any thing in any Act or Acts contained to the contrary notwithstanding.

Such Licences not to permit Sale of Spirits in greater Quantities than Two Gallons.

Justices, &c. may summon Distributors of Stamps and other Persons authorized to grant Licences, to give Information respecting granting of such Licences.

VI. And be it further enacted, That it shall and may be lawful for any Justice of the Peace, or other Magistrate, and for the Commissioners of Inland Excise and Taxes, and their Sub Commissioners within their respective Jurisdictions, to summon all Distributors of Stamps and other Officers or Persons authorized by Law, or appointed to grant Licences for the Sale of Spirituous and other Liquors by Retail, to appear and give Evidence respecting any Matters and Things relating to the granting of any such Licence, as any such Justice of Peace or Magistrate, Commissioner or Sub Commissioner respectively, shall be desirous of being informed of for the Purpose of putting in Execution this Act or the said recited Act of the Forty fifth and Forty seventh Year, or either of them; and if any such Distributor of Stamps or other Officer or Person as aforesaid, shall neglect or refuse to appear to such Summons, or, appearing, shall refuse to give his or her Testimony, every such Person shall, for every such Neglect or Refusal, forfeit the Sum of Twenty Pounds *British* Currency, for the Use of the Poor of the Parish, in which such Distributor of Stamps, or Officer or other Person shall dwell; and in case of Nonpayment thereof, such Justice or Magistrate,

Not attending.

Penalty.

or

or Commissioners or Sub Commissioners, as the case may be, shall and may, and he and they is and are hereby authorized to issue a Warrant under his or their Hand and Seal or Hands and Seals, to levy such Sum by Distress and Sale of the Goods and Chattels of the Offender, and for want of Effects sufficient to answer such Sum, shall issue a like Warrant to commit to the House of Correction or County Gaol the Person so offending, there to remain without Bail or Mainprize for any Space of time not exceeding Three Calendar Months.

Imprisonment.

VII. And be it further enacted, That upon any Information, Action, Suit or Prosecution for the Recovery of any Fine, Penalty or Forfeiture, under the said recited Acts of the Forty fifth and Forty seventh Years, or either of them, or under this Act, and in any Trial or Proceeding on such Information, Action, Suit or Prosecution, the Person or Persons having given Information against the Offender or Offenders, shall in all cases be a competent Witness or Witnesses.

Informers competent Witnesses.

C A P. CXXXVIII.

An Act for the Relief of Insolvent Debtors in *Ireland*,

[13th July 1813.]

WHEREAS notwithstanding the Acts heretofore passed for the Relief of Insolvent Debtors, and the Discharge of many Prisoners for Small Debts by Charitable Donations, several Persons generally remain confined for Debt in different Prisons in *Ireland*; and it is therefore expedient to make a general Provision for the Relief of Insolvent Debtors in *Ireland*, under certain Restrictions; Be it therefore 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, an Act passed in *Ireland* in the Thirty seventh Year of His Majesty's Reign, intituled *An Act for the Relief and Maintenance of Insolvent Debtors detained in Prison*; and also another Act, passed in the Fiftieth Year of His Majesty's Reign, to extend and amend the Provisions of the said recited Act, shall stand and be repealed; save so far as relates to any Person who has been actually discharged from Custody under the same, before the passing of this Act, and save that any Person who has before the passing of this Act presented a Petition for his or her Discharge under the Provisions of the said Acts or of either of them, may, if he or she shall think proper, proceed under the same, and have the full Benefit thereof respectively, as if this Act had not passed.

37 G. 3. (1) c. 49.

50 G. 3. c. 47. repealed.

II. And be it further enacted, That, from and after the passing of this Act, it shall be lawful for every Person who shall be a Prisoner in any Prison in *Ireland*, upon any Process whatsoever, issuing from any Court whatsoever, for or by reason of any Debt, Damage, Costs, Sum or Sums of Money, or Contempt for Nonpayment of Money, and who shall have been in Custody upon some Process for some or one of the said Debts or Demands, during the Space of Three Calendar Months or more, to apply by a Petition in a summary way to the Court from whence such Process issued, for his or her Discharge from such Confinement, according to the Provisions of this Act; and in such Petition such Prisoner shall state the Prison wherein

Prisoners in Custody in any Prison in Ireland for Three Months, to apply to be discharged by Petition to Court from whence Process issued.

such Prisoner shall be then confined, the time when such Prisoner was first charged in Custody or received in Prison upon some Process on which he or she shall then be detained in Prison, together with the Name or Names of the Person or Persons at whose Suit or Prosecution such Prisoner shall, at the time of presenting such Petition, be detained in Prison, and the Amount of each and every Debt or Sum of Money for which such Prisoner shall be so detained, and shall pray to be discharged from Custody upon all such Process, and to have future Liberty of his or her Person against the Demands for which such Prisoner shall be then in Custody, and against the Demands of all other Persons who shall be named or specified as Creditors, or as claiming to be Creditors of such Prisoner, in the Schedule annexed to such Petition; and such Prisoner shall by such Petition offer to convey, assign and deliver to such Person or Persons as the Court shall direct, for the Payment of such Debts and Sums of Money respectively from which such Prisoner shall seek to be discharged, all such Property as such Prisoner shall possess, or have in his or her Power, as hereinafter expressed; the Wearing Apparel and Bedding for such Prisoner and his or her Family, and Working Tools and necessary Implements for his or her Occupation or Calling, and other small Necessaries, not exceeding in the whole the Value of Ten Pounds, only excepted; and shall also offer to engage to pay so much of all such Debts and Demands respectively as shall be justly due from such Prisoner to such Creditors, as shall not be discharged by means of the Property so to be conveyed, assigned and delivered, in case such Prisoner shall at any time thereafter become possessed of sufficient means for such Purpose; to which Petition shall be annexed a Schedule, containing a full and true Description of all and every the Person and Persons to whom such Prisoner shall then be indebted, or who to his or her Knowledge or Belief shall claim to be a Creditor or Creditors of such Prisoner, with the Nature and Amount of such Debts and Claims respectively, and of every Security for the same respectively, distinguishing such Debts and Claims as shall be admitted, from such as shall be disputed by such Prisoner; and also a full, just, true and perfect Account and Discovery of all the Estates and Effects, Real and Personal, in Possession, Reversion, Remainder or Expectancy, of every Nature and Kind whatsoever, which such Prisoner, or any other Person or Persons in Trust for such Prisoner, or for his or her Use, Benefit or Advantage, in any manner whatsoever shall have been or shall be seized or possessed of, or interested in, or entitled unto, or which such Prisoner, or any Person or Persons in Trust for him or her, or for his or her Benefit, shall have had or shall have any Power to dispose of or charge for the Benefit or Advantage of such Prisoner, at the time when such Prisoner was first committed to Prison, or charged in Custody for any of the Debts or Sums of Money for which such Prisoner shall then be detained in Custody, or at any time subsequent to that time, before and on the Day on which the Truth of such Schedule shall be sworn to by such Prisoner as herein directed; together with a full, just, true and perfect Account of all Debts at such time owing to such Prisoner, or to any Person or Persons in Trust for him or her, or for his or her Benefit or Advantage, either solely or jointly with any other Person or Persons, and the Names and Places of Abode of the several Persons from whom such Debt shall be or shall have been due

Schedule of  
Debts and Ef-  
fects, &c. annex-  
ed to Petition.

due or owing, and of the Witnesses who can prove such Debts as shall remain due (if any such there shall be) so far as such Prisoner can set forth the same, and in what manner any such Estates or Effects, Real or Personal, of such Prisoner shall have been applied or disposed of since the time when such Prisoner shall have been so first committed to Prison or charged in Custody as aforesaid, and which of such Estates or Effects, or any of them, shall have been in any manner conveyed, assigned, disposed of, charged or incumbered in any manner whatsoever, and when and in what manner, and for what Consideration, and to whom, and for whose Benefit, and which of such Estates and Effects shall, at the time of swearing to such Schedule, be applicable to the Discharge of the Demands of his or her Creditors; and such Schedule shall also fully and truly describe the Wearing Apparel and Bedding of such Prisoner and his or her Family, and the Working Tools and Implements, and other small Necessaries intended to be excepted by such Prisoner from the Assignment proposed by the said Petition to be made by such Prisoner as aforesaid, together with the Values of such excepted Articles respectively; and such Prisoner shall make Oath of the Truth of such Petition and Schedule to the following Effect, or with such Variations, according to special circumstances, as shall be consistent with the Provisions of this Act.

I *A. B.* upon my corporal Oath, in the Presence of Almighty God, do solemnly swear and declare, That on the  
 Day of \_\_\_\_\_ I was really and truly a Prisoner in  
 the actual Custody of \_\_\_\_\_ in the Prison or Gaol  
 of \_\_\_\_\_ at the Suit of \_\_\_\_\_  
 for the Sum of \_\_\_\_\_ [as the case may be], without  
 any Fraud or Collusion whatever; and that I have ever since been  
 and now am a Prisoner in \_\_\_\_\_ in the actual Custody of  
 the Keeper or Gaoler of \_\_\_\_\_ [as the case may  
 be], or within the Liberties thereof, at the Suit of \_\_\_\_\_  
 and of \_\_\_\_\_ [as the case may be], without any  
 Fraud or Collusion whatever; and that I have not taken the Benefit of any Act of Parliament made for the Relief of Insolvent Debtors within the Space of Five Years now last past, and that I have not had at any time since I was committed to Prison, or charged in Custody by the said \_\_\_\_\_ as aforesaid, any means whatsoever of discharging the Demands of the said \_\_\_\_\_ and of the other Persons named or described as my Creditors, or as claiming to be my Creditors, in the Schedule hereunto annexed and subscribed by me, except the Estates and Effects mentioned in the said Schedule; and that I have not now any means of discharging such Demands, except so much of the said Estates and Effects as still remain applicable for that Purpose, as expressed in the said Schedule; and that all the Estates and Effects which I have disposed of since I was so first committed to Prison or charged in Custody have been necessarily expended by me for the Maintenance of myself and Family, and for Law Charges and other unavoidable Expences during my Confinement, and in Payment of just Debts, due and owing by me before or since the said \_\_\_\_\_ Day of \_\_\_\_\_ when I was first committed to Prison, or detained in Custody at \_\_\_\_\_ the

Form of Oath of Truth of Petition and Schedule.

the Seiz of the said as aforesaid; and that the said Schedule doth contain, to the best of my Knowledge and Belief, a full, just, true and perfect Account and Discovery of all the Estates and Effects, Real and Personal, in Possession, Reversion, Remainder or Expectancy, and of every Nature and Kind soever, which I now am, or which any Person or Persons in Trust for me, or for my Use, Benefit or Advantage, now is or are seized, possessed of, interested in or entitled unto, or which was or were in my Possession, Custody or Power, or in the Possession, Custody or Power of any such Person as aforesaid, or which I or any Person or Persons had any Power of disposing of or charging for my Benefit or Advantage at the time I was so first committed to Prison or charged in Custody by the said as aforesaid, or at any time since that time, and of all Debts owing to me or to any Person or Persons in Trust for me or for my Benefit, either solely or jointly with any other Person or Persons, and of all Securities or Contracts whereby any Money now is, or will, or may hereafter become payable, or any Benefit or Advantage may accrue, or might have accrued to me or my Use, or to any Person or Persons in Trust for me or for my Benefit, at the time I was so first committed to Prison or charged in Custody as aforesaid, and the Names and Places of Abode of the several Persons from whom such Debts are or were due and owing, and of the Witnesses who can prove such Debts or Contracts as remain due or unperformed, so far as I am able to set forth the same: and that neither I nor any Person or Persons in Trust for me or for my Use and Benefit, to my Knowledge or Belief, have or has any Land, Money, Stock or other Estate or Effects whatsoever, either Real or Personal, in Possession, Reversion, Remainder or Expectancy, or of any Nature or Kind whatsoever, or any Power of disposing of or of charging for my Benefit or Advantage any Property whatsoever, other than such as are in the said Schedule contained or expressed, except the Wearing Apparel and Bedding for myself and Family, Working Tools and the necessary Implements for my Occupation and Callings, and other small Necessaries, not exceeding in the whole the Value of Ten Pounds, mentioned and described in the said Schedule, and intended to be excepted from the Assignment intended to be made by me; and that I have not, nor hath or have any Person or Persons for me, directly or indirectly, sold, lessened or otherwise conveyed or disposed of, in Trust or otherwise, except as hereinafore expressed, or in any manner concealed any Part of my Lands, Money, Goods, Chattels, Stocks, Debts, Securities, Contracts, Estates or Effects, Real or Personal, whereby to secure the same for my own Benefit, or whereby I may receive or expect to receive any Profit or Advantage therefrom, or with any Intent to defraud or deceive any Creditor or Creditors to whom I am or was indebted, in any wise howsoever.

So help me GOD.

Court, or a Justice, to administer Oath.

And the said Oath shall and may be administered to such Prisoner by such Court, or by any Person duly authorized to take Affidavits for such Court, or by any Justice of the Peace within whose Jurisdiction such Prisoner shall be detained in Custody: And the said Petition and Schedule and Oath shall be respectively subscribed by such

such Prisoner, in the Presence of the Person by whom such Oath shall be administered, who shall certify the Subscription thereof respectively by such Prisoner; and such Petition, Schedule and Oath, shall be filed in the said Court, which Court shall thereupon name a Day for hearing the Matter of such Petition; and a Copy of such Petition, Schedule and Oath, shall be served on all and every Person or Persons who shall be specified in such Petition as the Person or Persons at whose Suit such Prisoner shall then be detained in Custody, or on his, her or their Attorney or Solicitor, in the Action or Actions, Suit or Suits, in respect of which such Prisoner shall be so detained, together with a Copy of the Order of the Court upon such Petition, Twenty Days at the least before the Day appointed for hearing the Matter of such Petition, by delivering such Copies respectively to such Person or Persons respectively, or leaving the same with the Wife, Clerk or Servant of such Person or Persons respectively, at his, her or their usual Place of Abode; and Notices in Writing that such Petition had been presented, and such Schedule and Oath filed in the said Court, together with a Copy of the Order on such Petition, shall be served in like manner on all and every the Person or Persons named or described in the said Schedule as Creditors, or as claiming to be Creditors of the said Prisoner, and against whose Demands such Prisoner shall seek to be discharged, or on the Attorney or Solicitor of any Creditor, in any Action or Suit brought against such Prisoner for the Demand of such Creditor; and such Service shall, on the hearing of the Matter of the said Petition, be proved on Oath to the Satisfaction of the Court.

Copy of Petition, Schedule and Oath, delivered to every Creditor.

III. Provided always, and be it enacted, That if any Person shall be confined under the Process of Two or more Courts, then if any One of the said Courts shall be One of His Majesty's superior Courts in *Dublin*, such Petition shall be presented to such Court; and if all such Courts, or any Two or more of them, shall be such superior Courts, then and in such case such Petition shall be presented to such of the said superior Courts under whose Process such Person shall have been first detained in Custody; and if all the said Courts shall be inferior Courts; then if such Prisoner shall be so detained in the County of *Dublin*, or County of the City of *Dublin*, such Petition shall be presented to the Court of Common Pleas; and if in any other Part of *Ireland*, then such Petition shall also be addressed to the said Court of Common Pleas, but it shall be lawful for the said Court either to proceed on such Petition or to give general Authority to the Judge or Judges of Assize for the County, County of a City or County of a Town, in which any such Prisoner shall be so detained, from time to time to receive any such Petition, and to proceed on any such Petition, whether presented to any such Judge or to the said Court, as the said Court shall think fit; and such Judge or Judges shall transmit all Proceedings on any such Petition to the said Court of Common Pleas, who shall have Power to act thereupon as to such Court shall seem fit; and all Proceedings of any such Judge or Judges of Assize under the Authority aforesaid shall be deemed and taken to be, for the Purposes of this Act, Proceedings of the said Court.

Where Prisoner confined on Process of Two Courts, Petition shall be presented to superior Court, &c.

IV. Provided always, and be it further enacted, That in case it shall be made appear to the Satisfaction of the Court to which any such

If Creditors numerous, Notice such

inserted in Dub-  
lin Gazette, and  
in Two or more  
Newspapers, as  
Court shall  
direct.

such Prisoner shall apply to be discharged according to the Direction of this Act, that the Creditors of such Prisoner, exclusive of those at whose Suit such Prisoner shall be then detained in Custody, are so numerous, or their Residence so remote, that the Expence of serving such Creditors with Notice of the Application of such Prisoner for his or her Discharge, would be so considerable that such Prisoner might be unable to procure such Service to be duly made in manner hereinbefore directed, or that for any other Reason it will be fit in the Judgment of the said Court to dispense with such Service with respect to all or any of such Creditors, it shall be lawful for the said Court to order, that Notice of the Petition of such Prisoner for his or her Discharge may, instead of being served on such Creditors respectively, be inserted in the *Dublin Gazette*, and in such Two or more Newspapers as the said Court shall direct, and in such Form of Words as the said Court shall approve, Twenty Days at the least before the Day appointed for hearing the Matter of the said Petition, and that such Notice shall be deemed sufficient Notice to the Creditors named or described therein; or to substitute some other mode of Notice, which in the Judgment of the said Court may appear reasonable; and upon such Notice so given to the Satisfaction of the said Court, it shall be lawful for the said Court to proceed on such Petition with respect to all such Creditors as shall be named or described in such Notice, in the same manner as the said Court might have done if such Creditors respectively had been actually served with Notice as hereinbefore directed: Provided always, that where any Prisoner shall be charged in Execution or under Attachment for not paying Money, or under Mesne Process, out of any of His Majesty's superior Courts in *Dublin*, in any County Gaol or other Gaol or Prison except within the County of *Dublin*, or County of the City of *Dublin*, then upon Petition being made by such Prisoner as aforesaid, and on an Affidavit, of the Purport hereinbefore set forth being made and left with such Petition, such Court, on being satisfied with the Truth of such Affidavit, is hereby authorized and required, on the Application of such Prisoner, to make a Rule or Order to cause such Prisoner to be brought to the next Assizes which shall be holden for the County, County of a City or County of a Town, where he or she shall be imprisoned; and the Expence of bringing such Prisoner to any such Assizes, not exceeding One Shilling a Mile, shall be paid to the Keeper or Gaoler or Officer who shall bring such Prisoner to such Assizes, in obedience to such Rule or Order, out of such Prisoner's Estate or Effects, if the same shall be sufficient to pay such Expence, and if not, then such Expence shall be paid by the Treasurer of the County, County of a City or County of a Town, in which such Prisoner shall be imprisoned, as the same shall be directed or ordered by the Judge before whom such Prisoner may be brought; and the Grand Jury of such County, County of a City or County of a Town, is hereby empowered and required to present the Amount thereof; and a Copy of such Petition, Schedule and Oath, and also of such Rule or Order of the Court thereupon, shall be served in manner aforesaid on all and every the several Persons required to be served with such Petition as aforesaid, Twenty Days at the least before the holding of such Assizes; and on due Proof being made of such Service thereof, the Judge or Judges of Assizes is and are hereby required to appoint a time for hearing the Matter of such

Prisoners in  
County Gaols  
under Process of  
superior Courts,  
brought up to  
Assizes under  
Orders of Court;  
and discharged  
by Judge at such  
Assizes, &c.

Expences how  
paid.

Time for hear-  
ing Petition.



Petition as aforesaid, on some certain Day and Time during such Assizes; and on such Day so appointed, the Judge or Judges of such Assizes respectively shall there in a summary way examine in manner aforesaid into the Matter of such Petition, and hear what can or shall be alleged on either Side for or against the Discharge of the Prisoner so petitioning; and upon every such Examination such Judge or Judges of Assizes respectively, or any One of them, is and are hereby empowered and required respectively within their respective Jurisdictions to administer or tender to every such Prisoner the same Oath or Oaths as hereinbefore is or are directed and appointed to be taken by any Prisoner before the Judges of the Court out of which the Process, upon which any such Prisoner was taken, issued; and such Judge or Judges of Assizes respectively, or any One of them, is and are hereby respectively authorized and required to make such Order in the Premises as to him or them shall seem meet, according to the Provisions of this Act, and to proceed in the same manner concerning the Discharge of any Prisoner or Prisoners in any Prison within their respective Jurisdictions, and to give the same Judgment, Relief and Directions relating thereto, in all respects as the Courts out of which any Process shall issue against any such Prisoner as aforesaid, is herein empowered and directed to do, or to postpone, if he or they shall see fit Cause for so doing, the Hearing of such Matter until any subsequent Day in the same Assizes, or until the ensuing Assizes; and the Judge or Judges at such ensuing Assizes shall have all and every the same Powers in respect thereof; and every Order which shall be made in the Premises by any such Judge or Judges of a *Assize* shall be as valid and effectual as if the same had been made in the superior Court to which such Petition was presented, and the same shall be made a Record of the Proceedings at such Assizes; and a Copy thereof shall from thence be transmitted to such superior Court, signed by such Judge or Judges of Assize, to be a Record of the said Court, and to be kept as such among the Records thereof.

Proceedings respecting Discharge of Prisoner.

Order by Judge valid.

Recorded.

V. Provided always, and be it hereby enacted, That the Sum of Three Shillings and no more shall be paid to any Printer or Proprietor of any Newspaper for the Insertion of any such Advertisement aforesaid; and all Printers and Proprietors of Newspapers are hereby required to insert the same on the Payment of the said Sum of Three Shillings for the Insertion thereof; and that no such Advertisement shall be liable to the Payment of, or be chargeable or charged with the Payment of any Stamp or other Duty whatsoever.

Insertion of Advertisements, 3s.

Stamp Duty.

VI. Provided always, and be it enacted, That in case it shall be made appear to the Satisfaction of the Court to whom any such Prisoner shall apply to be discharged according to the Directions of this Act, that any of the Persons required to be served with such Petition, Schedule, Oath, Order or Notice, is or are beyond the Seas, or cannot be found, so as to be served with such Petition, Schedule, Oath and Order, as required by this Act, and the said Court shall not think fit to order Notice to such Persons to be inserted in the *Dublin Gazette* and such Newspapers as aforesaid, or to substitute any other mode of Notice, it shall be lawful for the said Court to proceed upon the said Petition notwithstanding such Defect in the Service thereof; but in such case such Prisoner shall not be in any manner discharged from the Demands of the Person or Persons who shall not be

Court may proceed where Notice not given in *Dublin Gazette*, &c. if Creditors cannot be found.

be so served, or with respect to whom such Notice shall not be given in the *Dublin Gazette* and such Newspapers as aforesaid, or in such other substituted mode of Notice as shall be approved of by the said Court, unless such Person or Persons shall appear before the said Court and oppose the Discharge of such Prisoner, or consent to the Proceeding of the Court, notwithstanding any such Defect of Service.

Previous Residence out of Ireland.

VII. Provided always; and be it further enacted, That if any Prisoner seeking the Benefit of this Act shall within Two Years before he or she shall seek the Benefit of this Act, have resided in any Place or Places out of *Ireland*, and shall during such Residence have contracted in such Place or Places any Debt from which he or she shall seek to be discharged by virtue of this Act, such Prisoner shall not be discharged under the Authority of this Act from any such Debt, without the Consent of the Person or Persons to whom such Debt shall be due, unless such Prisoner shall at the time of such Application be in actual Custody for such Debt; or shall be actually sued in some Court of Law or Equity in *Ireland* for the same; in either of which cases Notice of the Application for the Discharge of such Prisoner shall be given to the Creditor or Creditors so detaining in Custody or suing such Prisoner, or to the Attorney or Solicitor actually employed at the time of such Application in the Action or Suit then depending for such Debt or Debts, if the Court to which Application shall be made for the Discharge of such Prisoner shall think fit to allow of Service on such Attorney or Solicitor, instead of personal Service on such Creditor or Creditors.

Hearing of Petitions deferred in case of Defect of Service.

VIII. Provided also, and be it further enacted, That in case of any Defect in the Service of such Petition, Schedule, Oath or Order, it shall be lawful for such Court from time to time to allow further time for such Purpose, and to make an Order or Orders for adjourning the Hearing of the Matter of the said Petition, in the Whole, or with respect to any particular Person or Persons, to give Opportunity for such Service; and in case the said Petition, Schedule, Oath and original Order, together with such further Order or Orders, shall be duly served according to the Provisions of this Act, on the Person or Persons not before duly served, Twenty Days before the Day appointed for hearing the Matter of the said Petition on any such further Order, it shall be lawful for the said Court to proceed on such Service, as the said Court might have done if the said Petition, Schedule, Oath and original Order, had been duly served according to the Provisions before contained in this Act.

On hearing Petitions, Creditors may oppose it.

IX. And be it further enacted, That upon the Day appointed by any Court for hearing the Matter of the said Petition, or upon such subsequent Day as such Court shall appoint for such Purpose, such Court respectively shall cause such Prisoner to be brought before the said Court, to be examined touching the Truth of the Matter contained in the said Petition and Schedule; and any of the Creditors of such Prisoner, and any of the Persons named or described in such Schedule, as claiming to be Creditors of any such Prisoner, and any Person or Persons not named or described in such Schedule, who shall claim to be a Creditor or Creditors of such Prisoner shall be at Liberty to oppose such Petition, and for that Purpose to put such Questions to such Prisoner as the said Court shall think fit, touching the Matters contained in such Petition and Schedule, and touching such other Matters as the said Court shall be of Opinion it may be fit



t and proper that such Questions should be put for the due Execution of this Act; and such Prisoner shall answer all such Questions on Oath; and in case such Prisoner shall not answer all such Questions to the Satisfaction of the said Court, or in case it shall be made appear to the Satisfaction of the said Court, from such Answers that such Prisoner shall be given by such Prisoner, or by Evidence, that such Prisoner is not entitled to the Benefit of this Act, then and in such case such Court shall so declare, and shall remand such Prisoner to Custody: Provided always, that in case such Court shall entertain any Doubt touching any Matter alleged against such Prisoner to prevent his or her Discharge, or touching the Examination of such Prisoner, it shall be lawful for such Court to remand such Prisoner to Custody, and afterwards to cause such Prisoner to be again brought up for Examination as often as to such Court shall seem fit.

Court, if not satisfied, may remand Prisoner.

X. And be it further enacted, That in case any Person or Persons claiming to be a Creditor or Creditors of any Prisoner, shall oppose the Petition of such Prisoner for his or her Discharge, such Person or Persons, although not duly served with such Petition, Schedule, Warrant or Order as aforesaid, shall be considered as having had due Notice thereof; and the Name or Names of such Person or Persons shall be added to the said Schedule by the said Court, either as a Creditor or Creditors, or as claiming to be a Creditor or Creditors of such Prisoner.

Persons claiming to be Creditors not duly served with Notice, to be added to Schedule.

XI. And be it further enacted, That in case the Court to whom any Prisoner shall apply to be discharged, according to the Direction of this Act, shall be of Opinion that such Prisoner is entitled to the Benefit of this Act, then and in such case the said Court shall so order and adjudge, and shall in such Order specify the several Creditors and Persons claiming to be Creditors of such Prisoner, who shall appear to have been duly served with Notice of such Proceedings, as required by this Act, or with respect to whom Notice shall appear to have been given in the *Dublin Gazette* and other Newspapers as aforesaid, or in such other manner as shall have been directed as aforesaid, or who shall have appeared before the said Court, and opposed the Discharge of such Prisoner, or consented to the Proceeding of the Court with respect to their Demands, notwithstanding any Defect of Service of such Notice; and the said Court shall in such Order also specify the several Persons against whose Demands such Prisoner shall be decreed by such Court entitled to be discharged by virtue of this Act; and such Court shall appoint a proper Person or proper Persons to be Assignee or Assignees of the Estate and Effects of such Prisoner, or the Purposes of this Act, and shall order proper Conveyances and Assignments of such Estate and Effects to be made by such Prisoner, according to this Act, together with an Engagement to be executed by such Prisoner to pay so much of the just Debts and Demands of the several Persons against whom such Prisoner shall by such Court be adjudged entitled to the Benefit of this Act, as shall not be paid out of the Estate and Effects to be conveyed and assigned by such Prisoner for such Purpose, in case he or she shall at any time thereafter be enabled to pay such Debts and Demands, and to pay such Part or Parts thereof as he or she shall be able at any time to pay; and shall also order all Books, Papers and Writings in the Custody or Power of such Prisoner, relating to the Estate and Effects of such Prisoner, and the Demands of his or her Creditors, to be delivered

Court may adjudge Release of Prisoners entitled to Benefit of Act.

Assignees appointed, and Engagements entered into for Payment of Debts not satisfied.

Books, &c. to be delivered up.

on

Prisoner then to be discharged, but Judgment entered against his future Estate.

on Oath to such Assignee or Assignees, or otherwise to be disposed of as such Court shall direct; and upon the due Execution of all such Conveyances, Assignments and Engagements as aforesaid, and Delivery of such Books, Papers and Writings as aforesaid, as such Court shall direct, such Court shall order such Prisoner to be discharged from Custody; and Judgment shall thereupon be entered against such Prisoner in pursuance of such Engagements as aforesaid, in such Court, if the same be One of His Majesty's superior Courts of Law in *Dublin*, and if not, then in any of such His Majesty's superior Courts; which Judgment shall and may, if the said Court shall so order, be executed against the future Estate and Effects of such Prisoner, Real and Personal, as the said Court shall direct, and shall bind the Assets of such Prisoner, Real and Personal, in the Hands of his Heirs, Executors and Administrators, for the full Amount of the Debts and Demands aforesaid which shall remain unsatisfied, or so much of such Debts and Demands as the said Court shall be of Opinion ought to be satisfied; and Execution shall be had upon such Judgment, in such and the same manner as Execution may be had upon a Judgment of the Court of King's Bench, nevertheless according to the Orders of the said Court, and in Conformity to the Provisions in this Act contained.

XII. And whereas Prisoners discharged by virtue of this Act may be entitled to Annuities for their own Lives, or other uncertain Interests, or to reversionary or contingent Interests, or to Property under such circumstances, that the immediate Sale thereof for Payment of their Debts may be very prejudicial to them, and deprive them of the means of Subsistence which they might otherwise have after Payment of their Debts; and it may be proper in some cases to authorize the raising of Money by way of Mortgage for Payment of the Debts, or Part of the Debts of a Prisoner discharged by virtue of this Act, and defraying Expences attending the Execution of this Act, instead of selling the Property of such Prisoner for such Purposes; Be it enacted, That in all such cases, it shall be lawful for the Court by whom any such Prisoner shall be discharged, to take into Consideration all circumstances affecting the Property of any such Prisoner, either at the time of the Discharge of such Prisoner, or at any subsequent time; and if it shall appear to the said Court, that it would be reasonable to make any Special Order touching the same, it shall be lawful for the said Court so to do, and to direct that such Property as it may be expedient not to sell, or not to sell immediately, according to the Provisions of this Act, shall not be so sold, and from time to time to order and direct in what manner such Property shall be managed for the Benefit of the Creditors of such Prisoner, until the same can be properly sold, or until Payment of all such Creditors according to the Provisions of this Act, and to make such Order touching the Sale or Disposition of such Property as to the said Court shall seem reasonable, considering the Rights of the Creditors of such Prisoner to Payment of their Demands, and the future Benefit of such Prisoner after Payment of his or her Debts, and upon such Terms and Conditions with respect to the Allowance of Interest on Debts not bearing Interest, or other circumstances, as to the said Court shall seem just; and if it shall appear to the said Court that the Debts of such Prisoner can be discharged by means of Money raised by way of Mortgage on any Property of such Prisoner, instead of raising the same by Sale, it shall be lawful for the

Sale of Annuities or contingent Interests restrained by Court.

said Court so to order, and to give all necessary Directions for such Purpose, and generally to direct all things which may be proper for the Discharge of the Debts of such Prisoner in such manner as may be most consistent with the Interests of such Prisoner, in any Surplus of his or her Effects after Payment of such Debts.

XIII. Provided always, and be it further enacted, That in case any Creditor against whom any Prisoner shall have obtained his or her Discharge by virtue of this Act, shall within One Year after the Date of the Order for such Discharge, apply to the Court by which such Order was made, to avoid such Discharge as improperly obtained, and upon such Application it shall appear to the Satisfaction of the Court that such Prisoner has acted in any manner fraudulently in obtaining such Discharge, or has wilfully concealed any of his or her Estate or Effects by not specifying or not properly specifying the same in such Schedule as aforesaid, for the Purpose of depriving the Creditors against whom he shall have obtained such Discharge of the Benefit thereof, it shall be lawful for such Court to declare the Discharge so obtained by such Prisoner null and void; and it shall thereupon be lawful for any Creditor or Creditors of such Prisoner against whom such Discharge shall have been obtained, to proceed against such Prisoner as if such Discharge had not been obtained, such Creditor or Creditors relinquishing all Benefit of the Assignment of the Estate or Effects of such Prisoner which shall remain unapplied by the Assignee or Assignees appointed under this Act; and any of such Creditors who shall have detained such Prisoner in Custody at the time of such Discharge shall be at Liberty to apply to such Court to remand such Prisoner again into Custody on the same Process from which he or she had been so discharged; and such Court shall have Power to make an Order that such Prisoner shall be remanded accordingly, and such Order shall be sufficient Authority for the Arrest and Detention of such Prisoner, upon the Process from which such Prisoner was before discharged; and so much (if any) of the Estate or Effects of such Prisoner as shall then remain in the Hands of the Assignee or Assignees thereof, after paying all the just Charges and Expences of such Assignee or Assignees to be allowed by the said Court, shall be re-conveyed or re-assigned or paid to such Prisoner as the said Court shall direct; but so much of such Estates and Effects as shall have been before applied in Payment of the Debts of such Prisoner, shall be retained by the Creditors who shall have received the same in Part of their respective Demands, excepting only the Creditor or Creditors who shall apply to the Court to avoid such Discharge, who shall repay the Dividend or Dividends received by him, her or them respectively, to the Assignee or Assignees of the Estate and Effects of such Prisoner, before such Order, declaring such Discharge null and void, and shall be delivered out by the said Court.

Court may on Complaint of Creditor, within One Year, avoid Discharge of Prisoner, on being satisfied that he obtained his Discharge fraudulently.

XIV. And be it further enacted, That in case any Prisoner who shall have been discharged by virtue of this Act, shall become able to pay all or any Part of the Debts due from him or her, and against which he or she shall have obtained such Discharge, after a reasonable Allowance for the Maintenance of such Debtor, and his or her Family, and Payment of his or her Debts, contracted after such Discharge, or to which such Discharge did not extend, it shall and may be lawful for any Creditor or Creditors against whom he

When it shall appear to Court after Prisoner shall have obtained Discharge that he is able to pay, Court shall revoke such Discharge.

he or she shall have obtained such Discharge, to apply to the Court, by whom such Discharge was ordered, for Liberty to proceed against such Debtor, notwithstanding such Discharge; and in case it shall appear to the Satisfaction of such Court, that such Debtor is of Ability to pay such Demand, or any Part thereof, it shall be lawful for such Court to revoke such Discharge either wholly or upon Payment of such Sum or Sums of Money for the Benefit of the Persons against whom such Discharge shall have been obtained, either in gross, or by several Payments, as to such Court shall appear reasonable, or it shall be lawful for the Court wherein Judgment shall have been entered as aforesaid, on Application to such Court, to permit Execution to be taken out in such case on the Judgment entered in such Court upon the Engagement of such Prisoner, for such Sum of Money as the said Court shall think fit, to be distributed ratably among the Creditors entitled under such Engagement, and such Proceedings shall and may be had according to the Discretion of the said Court or Courts respectively from time to time, until the whole of the Debts due to the several Persons against whom such Discharge shall have been obtained, shall be fully paid and satisfied, together with such Costs as such Court or Courts respectively shall think fit to award: Provided always, that in case any such Application shall appear to be ill founded and vexatious, it shall be lawful for the Court to whom the same shall be made, not only to refuse to make any Order on such Application, but also to dismiss the same, with such Costs as to such Court shall appear reasonable.

Allowance for  
Discovery of Pr-  
soner's Estate Six  
Months after  
Appointment of  
Assignees.

XV. And be it further enacted, That all and every Person who shall, at any time after the Expiration of Six Calendar Months from the Date of the Appointment of any Assignee or Assignees of the Estate and Effects of any Prisoner under the Authority of this Act, voluntarily come and make Discovery of any Part of such Prisoner's Estate not specified in the said Schedule, and not before come to the Knowledge of the Assignee or Assignees of such Prisoner's Estate, either to the said Assignee or Assignees or to the Court, by which such Prisoner shall have been discharged, shall be allowed Five Pounds *per Centum* and such further and other Reward as the said Assignee or Assignees, or the major Part in Value of the Creditors of such Prisoner present at any Meeting of the said Creditors, shall think fit, to be paid out of the net Proceeds of such Prisoner's Estate which shall be recovered on such Discovery, which shall be paid to the Person or Persons so discovering the same by the said Assignee or Assignees, who shall be allowed the same in his, her or their Accounts.

Disclosure of  
Estate of Prison-  
er Six Months  
after Discharge.

XVI. And be it further enacted, That all and every Person and Persons who hath or have accepted or shall accept any Trust or Trusts, or shall be possessed of and wilfully conceal or protect any Estate Real or Personal, of any Prisoner who shall be discharged under the Authority of this Act, and knowing such Discharge, shall not, within the Space of Six Calendar Months after such Discharge, disclose such Trust and Estate in Writing, either to the Assignee or Assignees of such Prisoner's Estate, or to the Court by which such Prisoner shall have been discharged, and submit himself, herself and themselves to be examined touching the same on Oath before such Court if thereunto required, and truly discover and disclose the

same and all Particulars thereof, shall forfeit the Sum of One Hundred Pounds *British* Currency and Double the Value of the Estate whether Real or Personal so concealed, to and for the Use of the Creditors of such Prisoner, to be recovered by Action of Debt in any of His Majesty's Courts of Record at *Dublin*, in the Name of the Assignee or Assignees of such Prisoner, or of any One of his, her or their Creditors who shall first sue for the same, with full Costs of Suit.

XVII. And be it further enacted, That in case any Prisoner who shall have been discharged by virtue of this Act, shall die leaving Assets Real or Personal, after Payment of all his or her Debts, exclusive of the Debts from which such Prisoner shall have obtained such Discharge, it shall be lawful for the Person or Persons entitled to so much of such Debt or Debts, from which such Discharge shall have been obtained as shall remain unpaid, to apply to the Court wherein such Judgment shall have been entered as aforesaid, for Liberty to proceed thereon in order to obtain Payment of so much of such Debt or Debts as shall then remain due as aforesaid, and such Court shall make such Order thereupon as shall be just; and the Heirs, Executors or Administrators of such deceased Prisoner shall apply the Assets in his, her or their Hands according to such Order, but without Prejudice to the Demand of any other Creditor or Creditors of such deceased Prisoner, all of which shall be first paid or satisfied: Provided always, that in case it shall at any time be made appear to such Court, that the Estate or Effects of such Prisoner, conveyed or assigned under the Authority of this Act, would have been sufficient, if carefully and properly managed, to have satisfied all the Debts from which such Prisoner had been discharged, or to have satisfied a larger Proportion of such Debts than shall have actually been paid therewith, then and in any such case such Court shall not authorize any further Proceedings against such Prisoner, or his or her Assets, except for so much of the Debts of such Prisoner as could not have been satisfied out of the Estate and Effects so conveyed and assigned in case the same had been carefully and properly managed and rendered productive for the Discharge of such Debts: Provided also, that in no case Interest shall be recovered on such Judgment on any such Debts until the said Court shall order the same, which shall be wholly in the Discretion of the said Court as hereinafter provided.

XVIII. And be it further enacted, That all the Estate, Right, Title, Interest and Trust of every Prisoner who shall be discharged by virtue of this Act, of, in and to all the Real Estate, and of, in and to all the Personal Estate, Debts and Effects of every such Prisoner, shall immediately from and after the Order of such Court as aforesaid for the Discharge of such Prisoner, be and the same are hereby vested in the Person or Persons to whom the same shall, by the Order of the said Court, be directed to be conveyed and assigned as aforesaid, in case such Person or Persons shall consent to accept the same; and the Conveyance and Assignment which shall be made in pursuance of such Order shall be without Stamps, and shall, together with this Act, be good and effectual in Law, to all Intents and Purposes whatsoever, to vest the Estate and Effects therein comprised in the Person or Persons to whom the same shall, by Order of such Court, be directed to be conveyed and assigned as aforesaid, his, her or their Heirs,

On Prisoner dying leaving Assets sufficient, Creditors may apply to Court to proceed on his Engagement to pay Debts not satisfied.

proviso for interest.

Estate of Prisoners vested in Persons to whom same, by Order of Court shall be directed to be conveyed in Trust for Benefit of Creditors.

Executors, Administrators and Assigns, according to the Estate and Interest which the Prisoner had therein, and every such Conveyance and Assignment shall be in Trust for the benefit of the Creditor or Creditors of every such Prisoner against whom such Prisoner shall have obtained his or her Discharge by virtue of this Act, in respect of and in Proportion to the Debts justly due to them respectively; and every Person and Persons to whom any such Assignment and Conveyance as aforesaid shall be made, is and are hereby empowered to sue from time to time, as there may be Occasion, in his, her or their own Name or Names, for the Recovery and obtaining Possession of any Estate or Effects of any such Prisoner, and also to execute any Power vested in or created for the Use and Benefit of any such Prisoner, and to give such Discharge and Discharges to any Person or Persons who shall respectively be indebted to such Prisoner, as may be requisite: Provided always, that nothing herein contained shall extend to prejudice or affect any Estate, Interest or Right whatsoever, of any Person or Persons, other than such Prisoner, expectant upon or subject to any Estate or Interest of such Prisoner so vested in such Assignee or Assignees as aforesaid, but that the Estate, Interest and Right whatsoever of every other Person and Persons shall continue and remain and be secured to him, her or them respectively, in the same manner as if this Act had not been made.

Proviso.

Assignees to get in Estate and Effects of Prisoner and make Dividend to Creditors at the End of Two Months, &c.

Notice in Dublin Gazette.

Account by Assignee before Dividends made.

XIX. And be it further enacted, That every such Assignee or Assignees as aforesaid shall, with all convenient Speed, after his, her or their accepting such Assignment or Conveyance, use his, her or their best Endeavours to receive and get in the Estate and Effects of every such Prisoner, and shall, with all convenient Speed, make Sale of all the Estate and Effects of such Prisoner vested in such Assignee or Assignees; and if such Prisoner shall be interested in or entitled to any Real Estate, either in Possession, Reversion or Expectancy, the same, within the Space of Two Months after such Assignment and Conveyance, shall be sold by Public Auction, in such manner, and at such Place or Places, as the major Part of the Creditors of such Prisoner entitled to the Benefit thereof (who shall assemble together on any Notice in Writing published in the *Dublin Gazette*, and in some daily Paper printed and published in *Dublin*, if the Prisoner, before his or her going to Prison, resided in *Dublin*, and if such Prisoner resided elsewhere, then in the *Dublin Gazette*, and also in some printed Newspaper which shall be published and generally circulated in or near the County, City, Town or Place in which such Prisoner resided before he or she was committed to Prison, Thirty Days before any such Sale shall be made), shall, under his, her or their Hand or Hands, approve; and every such Assignee or Assignees, at the End of Three Months at the farthest from the time of his, her or their accepting any such Assignment or Conveyance as aforesaid, and so from time to time as Occasion shall require, shall make a fair and just Dividend of all such Prisoner's Estate and Effects which shall have been then recovered amongst such Creditors of such Prisoner, from whose Demand such Prisoner shall have obtained a Discharge as before mentioned, in Proportion to the just Debts due to them respectively; but before any such Dividends shall be made, such Assignee or Assignees shall make up an Account of such Prisoner's Estate, and make Oath in Writing before



before One or more Justice or Justices of the Peace within whose Jurisdiction such Assignee or Assignees shall reside, that such Account contains a fair and just Account of the Estate and Effects of every such Prisoner got in by or for such Assignee or Assignees, and of all Payments made in respect thereof, and that all Payments in every such Account charged were truly and *bona fide* made and paid, which Account so sworn shall be filed with the proper Officer of the said Court, and Notice of the making of every such Dividend shall be published in like manner as a Meeting of Creditors is hereinbefore directed to be published, Thirty Days at least before such Dividend shall be made; and no Creditor shall be allowed to receive any Share of such Dividend until he shall have made due Proof of his or her Debt, by Oath, before some such Justice or Justices of the Peace; and if such Prisoner, or his or her Assignee or Assignees, or any Creditor of such Prisoner, shall object to any Debt so claimed, the same shall be examined into by the Court, by whom such Prisoner shall have been discharged, who shall have full Power for that Purpose, to require and compel the Production of all Books, Papers and Writings which may be necessary to be produced, as well by the Person or Persons claiming such Debt, as by the Prisoner against whom the same shall be claimed, or his or her Assignee or Assignees, and to examine all such Persons and the Witnesses on Oath, as the nature of the case may require, and to take all other Measures necessary for the due Investigation of such Claim; and the Decision of the said Court upon such Claim shall be conclusive with respect to any Dividend of the Effects of such Prisoner under the Provisions of this Act.

Objection to claim examined by Court.

XX. And be it further enacted, That in case the Prisoner so discharged, or any of his or her Creditors, against whom he or she shall have obtained such Discharge, shall be dissatisfied with the Account of any Assignee or Assignees, rendered upon Oath as aforesaid, or in case any such Assignee or Assignees shall neglect to render such Account, or shall neglect to dispose of the Property or collect the Effects of such Prisoner, or shall in any manner waste or mismanage the Estate or Effects of such Prisoner, or neglect to make a due Distribution thereof, it shall be lawful for such Court, by whom such Assignee was appointed, upon the Application of such Prisoner, or of any such Creditor as aforesaid, to require such Assignee or Assignees to render such Account on Oath as directed by this Act, if not before rendered, and to examine any Account so rendered, and to enquire into any Waste, Mismanagement or Neglect of the Estate or Effects of such Prisoner, and to direct a proper Administration thereof, and ascertain the Produce of such Estate and Effects to be divided amongst the Creditors of such Prisoner, and to direct the Distribution thereof accordingly, and to require and compel the Production of all Books, Papers and Writings necessary for such Purposes, and to examine all Parties and their Witnesses on Oath, as the case may require, and to take all such Measures as shall be necessary for the compelling the rendering of such Account and the due Investigation thereof, and the proper Disposition and Distribution of the Effects of such Prisoner according to this Act, and to award Costs against any of the Parties, as Justice shall require; and the Decisions of the said Court upon all such Matters shall be final and conclusive.

Court to compel Assignees to give satisfactory Account of Effects of Prisoner.

Costs.

Creditors for Annuities, &c. entitled to Dividends as if Prisoner had become Bankrupt, &c.

XXI. And be it further enacted, That all and every Creditor and Creditors of any Prisoner who shall be discharged by virtue of this Act for any Sum or Sums of Money payable by way of Annuity or otherwise, at any future time or times, by virtue of any Bond, Covenant or other Security of any Nature whatsoever, shall be entitled to be admitted a Creditor or Creditors, and to receive a Dividend or Dividends of the Estate of such Prisoner, in such manner, and upon such Terms and Conditions as such Creditor or Creditors would have been entitled unto such Dividends by the Laws now in force, if such Prisoner had become Bankrupt, and without Prejudice in future to their respective Securities, otherwise than as the same would have been affected by Proof made in respect thereof by the Creditor under a Commission of Bankrupt, and a Certificate obtained by the Bankrupt under such Commission, but subject nevertheless to the Terms of the Engagement of such Prisoner for future Payment of his or her Debts, in case such Prisoner should become able to pay the same as hereinbefore directed.

Interest on Debts of Prisoner to cease, unless Effects sufficient to bear it.

XXII. Provided always, and be it further enacted, That from the Date of any such Order of Discharge as aforesaid, all Interest on any Debt bearing Interest of the Prisoner so discharged, shall cease, and not be computed in the Amount of such Debt in the Distribution of the Estate and Effects of such Prisoner under the Authority of this Act; but if it shall appear to the Satisfaction of the Court by which such Prisoner was discharged, that such Estate and Effects of such Prisoner, are not only sufficient for Payment of the Principal of all the Debts of such Prisoner payable thereout under the Authority of this Act, together with all other Debts of such Prisoner, and to afford such Prisoner competent means of future Subsistence, but are so considerable as to render it fit that Interest should be allowed on Debts of such Prisoner bearing Interest from any Period after the Date of such Order of Discharge, it shall be lawful for the said Court to order such Interest to be paid accordingly, and to fix the time from which such Interest shall be computed, having regard always to the unproductive State of the Effects of such Prisoner during the Administration thereof, under the Authority of this Act; and if it can be shewn to the Satisfaction of the Court in which such Judgment shall be entered as aforesaid, that the subsequently acquired Property of such Person so discharged is so considerable as aforesaid, then such Court shall and may, in its Discretion, direct the Payment of Interest in like manner.

Assignees not to commence Suit without Consent of Creditors.

XXIII. And be it further enacted, That no Suit in Law or Equity shall be commenced by any Assignee or Assignees of any such Prisoner's Estate and Effects, without the Consent of the major Part in Value of the Creditors of such Prisoner, who shall meet together pursuant to a Notice for that Purpose, to be given at least Ten Days before such Meeting, in the *Dublin Gazette*, or other Newspaper, as hereinbefore required, previous to the Sale of any Estate of such Prisoner.

Officer of Court to produce its Proceedings when required.

XXIV. And be it further enacted, That the proper Officer of the Courts aforesaid respectively shall, on the reasonable Request of such Prisoner, or of any Creditor or Creditors of such Prisoner, or his, her or their Attorney, produce and shew to such Prisoner, Creditor or Creditors, or his, her or their Attorney, at such times as the said Court shall direct, such Petition, Schedule, Oath, Order and Judgment

Judgment, and all other Orders and Proceedings made and had in such Matter; and that a true Copy of every such Petition, Schedule, Oath, Order, Judgment and Proceedings, signed by the Officer in whose Custody the same respectively shall be, or his Deputy, certifying the same to be a true Copy of such Petition, Schedule, Order, Judgment or other Proceedings, as the case may be, without being written on stamped Paper, shall at all times be admitted in all Courts whatever, as legal Evidence of the same respectively.

XXV. Provided also, and be it further enacted, That nothing in this Act shall extend or be construed to prevent any Mortgage, Charge or Lien, upon the Estate of such Prisoner, or any Part thereof, made prior to the Discharge of such Prisoner by virtue of this Act, to take place upon the Lands, Tenements or Hereditaments, or Personal Estate and Effects comprised in or charged or affected by such Mortgage, Charge or Lien respectively, nor to prevent any Statute Staple, Statute Merchant, Recognizance or Judgment acknowledged by or obtained against any such Prisoner, prior to such Discharge, to take place upon the Lands, Tenements or Real Estates of such Prisoner, and also where any Inquisition shall have been taken upon any Statute or Recognizance, or any Writ of Execution shall have been taken out and delivered to the Sheriff or proper Officer upon any such Judgment, before such Prisoner shall have obtained his or her Discharge as aforesaid, the Personal Estate of such Prisoner shall be subject thereto, for so much as shall remain due upon such Statute, Recognizance or Judgment respectively, in like manner as the same would have been respectively, if this Act had not been made; any thing hereinbefore contained to the contrary notwithstanding; unless in any of the said cases the Creditor or Creditors having such Mortgage, Charge, Lien, Statute Staple, Statute Merchant, Recognizance, Judgment or Execution, shall elect and take and receive any Dividend under this Act in respect of such Debt, and shall cause such Election to be entered on the Files of the Court discharging such Prisoner: Provided always, that no such Person who shall not have so made and entered such Election shall be entitled to receive any Dividend under this Act in respect of any Debt so secured.

XXVI. And whereas a Prisoner who may be entitled to and claim the Benefit of this Act, may be seised and possessed of or entitled to Lands, Tenements or Hereditaments, to hold to such Prisoner for the Term of his or her Life, or other limited Estate, with Power of granting Leases, or may have Powers over Real or Personal Estate, which such Prisoner could execute for his or her own Advantage, and which said Powers ought to be executed for the Benefit of the Creditors of such Prisoner; Be it therefore enacted, That in every such case all and every the Powers of Leasing, and all such other Powers as aforesaid, over Real or Personal Estate, which are or shall be vested in any such Prisoner or Prisoners as aforesaid, shall be and are hereby vested in the Assignee or Assignees of the Real and Personal Estate of such Prisoner by virtue of this Act, to be by such Assignee or Assignees executed and sold and conveyed for the Benefit of all and every the Creditor or Creditors of such Prisoner as aforesaid.

XXVII. Provided always, and be it further enacted, That nothing in this Act contained shall extend to entitle the Assignee or Assignees

Copy, Evidence.

Proviso for  
Mortgages, &c.  
on Estate of  
Prisoner.

Election.

Proviso.

Power of leasing  
of Lands, &c. in  
Prisoner, vested  
in Assignees for  
Benefit of Cre-  
ditors.

Proviso for  
Pay of Officer

and Income of Benefice, not affected; Assignees may obtain Sequestration of Profits of Benefice, &c.

of the Estate and Effects of any Prisoner being an Officer of the Army or Navy, or Beneficed Clergyman or Curate, to the Pay of such Officer, or the Income of any Benefice or Curacy, for the Purposes of this Act: Provided always, nevertheless, that it shall be lawful for such Assignee or Assignees to apply for and obtain a Sequestration of the Profits of any such Benefice, for the Payment of the Debts of any such Clergyman, against which such Clergyman shall have obtained a Discharge by virtue of this Act; and the Order for such Discharge shall be a sufficient Warrant for the granting of such Sequestration, without any Writ or other Proceeding to authorize the same; and such Sequestration shall accordingly be issued as the same might have been issued upon any Writ of *Levari Facias* founded upon any Judgment against such Clergyman: Provided also, that it shall be lawful for the Court ordering the Discharge of any such Prisoner, to order such Portion of the Pay or Half Pay of any such Officer of the Army or Navy, as, on Communication from the said Court to the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or in his Absence to the Under Secretary of the Military Department, or to the Lords Commissioners of the Admiralty or their Secretary, he or they may respectively consent to, in Writing under the Hand of such Chief Secretary, or, in his Absence, of such Under Secretary, or of such Lords Commissioners of the Admiralty, or their Secretary respectively, as the case may require, to be applied in Payment of his Debts, and for that Purpose to be paid to his Assignee or Assignees; and such Order and Consent being lodged in the Military Department of the Office of Chief Secretary to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or in the Office of the Treasurer of the Navy, as the case may be, such Chief Secretary, or, in his Absence, the Under Secretary of the Military Department, or such Treasurer of the Navy, as the case may be, shall give Directions accordingly, or shall cause the same to be transmitted to the proper Officer for that Purpose, and such Proportion of the Pay or Half Pay of such Officer as shall be specified in such Order and Consent shall be paid to his Assignee or Assignees, until the said Court shall make Order to the contrary.

Proviso.

Perjury.

XXVIII. And be it further enacted, That if any Person who shall apply for his or her Discharge under the Provisions of this Act, or any other Person taking an Oath under the Provisions of this Act, shall wilfully forswear and perjure himself or herself in any Oath to be taken under this Act, and shall be lawfully convicted thereof, he or she so offending shall suffer such Punishment as by Law may be inflicted on Persons convicted of Perjury under the Laws in force in *Ireland*.

Prisoner discharged not arrested for same Debt.

XXIX. And be it further enacted, That no Prisoner who shall have obtained his or her Discharge by virtue of this Act, shall at any time after such Discharge, so long as the same shall remain in force, be imprisoned by reason of any Judgment or Decree obtained for Payment of Money only, or for any Debt, Damages, Contempt for Non payment of Money, Costs or Sums of Money contracted, incurred, occasioned, owing or growing due, with respect to which such Discharge shall have been obtained; but that upon every Arrest upon any such Judgment or Decree, or for any such Debt, Damage, Contempt, Costs, Sum and Sums of Money, it shall and may be lawful  
for

for any Judge of the Court from which any such Process shall have issued, upon shewing to such Judge the Copy of the Order for such Discharge as aforesaid, and upon Affidavit that such Discharge still remains in force, to release from Custody such Prisoner as aforesaid; and at the same time, if such Judge shall in his Discretion think fit, to order the Plaintiff or Plaintiffs in such Suit or Suits, or other Person or Persons suing out such Process, to pay such Prisoner the Costs which he or she shall have incurred on such Occasion, or so much thereof as to such Judge shall seem just and reasonable, such Prisoner causing a Common Appearance to be entered for him or her in the Action or Suit for any such Debt as aforesaid.

XXX. Provided always, and be it enacted, That when any such Prisoner shall have been discharged by any Court other than one of His Majesty's superior Courts in *Dublin*, or the Court of Assizes, no Creditor whose Debt could not be lawfully sued for and recovered in the Court by which such Discharge shall have been made shall be in any respect affected by such Discharge, unless such Creditor shall have received a Dividend on such Debts under the Provisions of this Act.

Prisoners discharged by inferior Courts.

XXXI. Provided always, and be it further enacted, That no Prisoner shall be discharged by virtue of this Act, of any Debt or other Matter accrued or incurred subsequent to the Application of such Prisoner to be discharged; and if it shall appear to the Court that any Prisoner applying to be discharged as aforesaid, stands charged in Custody with any Debt or other Matter accrued or incurred subsequent as well as previous to such Application, then and in such case it shall and may be lawful to and for such Court to discharge the Person of such Prisoner only from such Debts or other Matters as had accrued or been incurred previous to such Application, and to remand him or her back to the Custody of the Keeper of the Prison from whence he or she was brought, for all Debts and other Matters for which he or she shall stand charged, and which shall have accrued or been incurred subsequent to such Application.

Prisoner not discharged of Debt incurred subsequent to Application for Discharge.

XXXII. And be it further enacted, That if any Action of Escape, or any Suit or Action be brought against any Judge, Justice of the Peace, Sheriff, Gaoler or Keeper of any Prison, or other Person, for performing the Duty of his Office, in pursuance of this Act, such Judge, Justice, Sheriff, Gaoler or Keeper, or other Person may plead the General Issue, and give this Act in Evidence; and if the Plaintiff be nonsuited or discontinue his or her Action, or Verdict shall pass against him or her, or Judgment should be had upon Demurrer, the Defendant shall have Treble Costs.

General Issue.

XXXIII. And be it further enacted, That if any *Scire Facias*, or Action of Debt, or upon Payment, or any other Suit or Action shall be brought against any Prisoner, his or her Heirs, Executors or Administrators, upon any Judgment obtained against any such Prisoner, or any Statute or Recognizance acknowledged by him or her, or any other Cause of Action from which such Prisoner shall have obtained his or her Discharge by virtue of this Act, except under the Judgment to be entered by virtue of this Act, it shall and may be lawful for any such Prisoner, his or her Heirs, Executors or Administrators, to plead generally that such Prisoner was duly discharged from such Debt or Demand, according to this Act, by the Order by which such Discharge shall have been obtained,

Treble Costs. Action against Prisoner discharged, how defended.

tained; and that such Discharge remains in force, without pleading any other Matter specially; whereto the Plaintiff or Plaintiffs shall or may reply generally, and deny the Matters pleaded as aforesaid, and reply any other Matter or Thing which may shew the Defendant or Defendants not to be entitled to the Benefit of this Act, or the Plaintiff not to be affected thereby, or that such Prisoner was not duly discharged according to the Provisions of this Act, in the same manner as the Plaintiff or Plaintiffs might have replied, in case the Defendant or Defendants had pleaded this Act; and his Discharge by virtue of this Act specially; and if the Plaintiff or Plaintiffs be nonsuited, discontinue his or her Action, or Verdict pass against him, her or them, or Judgment shall be had on Demurrer, the Defendant or Defendants shall have Double Costs.

**Double Costs.**

Prisoner wantonly waiving Effects in Prison, not entitled to Benefit of Act.

XXXIV. Provided always, and be it further enacted, That in case it shall appear to the Satisfaction of the Court which shall decide as to the Discharge of any Prisoner, that any Prisoner who shall apply for a Discharge by virtue of this Act, has wantonly waived his or her Estate or Effects whilst in Prison, or has at any time fraudulently disposed thereof, or any Part thereof, with Intent to deprive any of his or her just Creditors of the Benefit thereof, or has wilfully remained in Prison, although entitled to be discharged therefrom by virtue of this Act, or otherwise with Intent to consume his or her Property in Prison, instead of applying the same to the Discharge of his or her just Debts, such Prisoner shall not be entitled to the Benefit of this Act; unless on special Circumstances the said Court shall think fit to grant such Discharge.

Attornies, &c. embezzling Money, not entitled to Benefit of Act; unless Creditors consent, or Prisoner confined Ten Years.

XXXV. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to release or discharge any Attorney at Law, Solicitor; or any other Person acting or pretending to act as such with regard to any Debt or Demand for any Money or other Effects recovered or received by him for the Use of any Person or Persons, Bodies Corporate or Politic, and by any such Attorney, Solicitor or other Person acting as such, embezzled, concealed or converted to his own Use; or to release or to discharge any Servant or other Person employed or entrusted as such, with regard to any Debt or Demand for or on account of any Money, Goods or other Effects received or possessed by him or her for the Use and Account of his or her Master or Masters, or Employer or Employers, and by such Servant or other Person so embezzled, concealed or converted to his or her own Use; or to release or discharge any Person with regard to any Debt or Demand arising from or created by any Breach of Trust or Confidence; any thing herein contained to the contrary thereof in any wise notwithstanding; unless the Person or Persons to whom such Debt or Demand shall be due or owing shall consent to the Discharge of such Prisoner by virtue of this Act, or unless such Prisoner shall have been confined in Prison for such Debt or Demand for the Space of Ten Years before the time when such Prisoner shall apply for his or her Discharge by virtue of this Act.

No Prisoner obtaining Credit by false Pretences, or removing Effects liable to be distrained for

XXXVI. Provided also, and be it further enacted, That no Prisoner who knowingly and designedly, by false Pretence or Pretences, or under any fictitious Name or Names, assumed for the Purpose of obtaining Credit or by any other fraudulent means shall have obtained from any Person or Persons Money, Goods, Wares, Merchandises,

Merchandizes, Bonds, Bills of Exchange, Promissory Notes or other Securities for Money, or other Effects; or who shall have contracted any Debt by fraudulently obtaining false Credit or by any other fraudulent means, or who shall have fraudulently removed or caused to be removed any Stock, Cattle, Goods or Effects of the Value of Ten Pounds or upwards, which were subject or liable to be distrained by his or her Landlord or Landlords for any Rent or Rents, whereby such Landlord or Landlords shall have lost all or some Part of such Rent or Rents, shall have any Discharge by or under his Act, from the Debt or Demand arising from or remaining due in consequence of such fraudulent Conduct; unless the Person or Persons who shall be entitled to such Debt or Demand shall consent to the Discharge of such Prisoner by virtue of this Act, or such Prisoner shall have been confined in Prison for such Debt or Demand for the Space of Five Years before the time when such Prisoner shall apply for his or her Discharge by virtue of this Act.

Rent, entitled to Benefit of Act, unless Creditors consent, or Prisoner confined Five Years.

XXXVII. Provided also, and be it further enacted, That no Prisoner who shall have suffered any Person, who has become Bail or Surety for such Prisoner, to be charged in respect of such Bail or Surety, shall be discharged by virtue of this Act from any Debt or Demand arising on such Account, without the Consent of the Person or Persons entitled to such Debt or Demand.

Prisoner suffering Bail to be charged, not discharged but on certain Conditions.

XXXVIII. Provided also, and be it further enacted, That no Prisoner who shall be charged in Execution for Damages recovered in any Action for Criminal Conversation with the Wife of the Plaintiff in such Action, or in any Action for seducing or carnally knowing the Daughter or Female Servant of the Plaintiff in such Action, or in any Action for a Malicious Prosecution, or in any Action for any other Malicious Injury, shall have any Discharge from such Debt or Damages under this Act, unless the Person or Persons entitled to the Benefit of such Debt or Damages shall consent to the Discharge of such Prisoner by virtue of this Act; or unless such Prisoner shall have been confined in Prison, for such Debt or Damage, for the Space of Five Years before the time when such Prisoner shall apply for his or her Discharge under this Act.

Prisoner charged in Execution for Damages recovered in certain Actions, not entitled to Discharge without Consent of Person injured, or confined Five Years.

XXXIX. Provided also, and be it further enacted, That no Prisoner against whom any Commission of Bankrupt shall have issued and shall remain in force, and who shall not have obtained a Certificate of his or her Conformity to the several Statutes concerning Bankrupts under such Commission, shall be entitled to be discharged by virtue of this Act from any Debt for which such Prisoner shall be detained in Custody, and which might have been proved under such Commission, unless such Prisoner shall have been so detained in Prison for the Space of Five Years before the time when such Prisoner shall apply for his or her Discharge under this Act.

Nor any Bankrupt who shall not have obtained his Certificate, &c.

XL. And whereas Debtors may, with a view to defraud their Creditors, sell, transfer, convey or assign their Estate and Effects, or some Part thereof, but it may be difficult to prove that such Sale or Transfer, Conveyance or Assignment was made with a fraudulent Design; Be it enacted, That whenever it shall be proved by one or more credible Witness or Witnesses, or by the Confession of any Prisoner, who shall apply for his or her Discharge by virtue of this Act, that such Prisoner has sold, transferred, conveyed or assigned to any Person or Persons all or any Part of his or her Estate or Effects subsequent

Prisoner assigning Estate after Imprisonment, so that Creditors cannot have Benefit thereof.

shall lose Benefit of Act.

subsequent to the time of contracting any Debt of or from which such Prisoner shall so seek to be discharged, without just Cause for so doing (to be determined by the Court), and such Sale, Transfer, Conveyance or Assignment, shall remain in force, so that the Creditors of such Prisoner cannot have the Benefit of such Estate or Effects under this Act, without Suit at Law or Equity, every such Prisoner shall lose all the Benefit and Advantage that he or she might otherwise have claimed under the Authority of this Act, unless all the Creditors of such Prisoner against whom such Prisoner shall seek to be discharged by virtue of this Act will consent to such Discharge.

Prisoner losing Money by Gaming not to have Benefit of Act, unless with Consent, &c.

‘ XLI. And whereas many Prisoners squander their Property by playing at Cards, Dice and other unlawful Games whilst in Prison, to the great Injury of their Creditors;’ Be it enacted, That nothing in this Act shall extend or be construed to extend to discharge or release any Prisoner who hath or shall have lost, since the time of his or her Commitment to Prison for any Debt with which he or she shall stand charged at the time when Application shall be made for his or her Discharge by virtue of this Act, the Sum or Value of Ten Pounds in any One Day, or Fifty Pounds in the whole, since such Commitment as aforesaid, in playing at or with Cards, Dice, Tables, Tennis, Bowls, Billiards, or any other Game or Games whatsoever, or in or by bearing a Share or Part in the Stakes, Wagers or Adventures, or in or by betting on the Sides or Hands of such as do play as aforesaid, unless all the Creditors of such Prisoner against whom such Prisoner shall seek to be discharged by virtue of this Act shall consent to such Discharge, or unless such Prisoner shall have been confined in Prison for the Space of Five Years at the least, since the time when any such Money was so lost as aforesaid.

Prisoner who shall have made Conveyance of Estate in Trust for particular Creditors not to have Benefit of Act, without Consent, &c.

XLII. Provided also, and be it further enacted, That if any Prisoner seeking the Benefit of this Act, shall appear to the Court who shall decide as to the Discharge of such Prisoner, to have made, within Five Years before the Application of such Prisoner to be discharged by virtue of this Act, any Conveyance or Assignment of all or any Part of his or her Estate or Effects in Trust or otherwise for the Benefit of any particular Creditor or Creditors, with Intent to give an undue Preference to such Creditor or Creditors, and afterwards to obtain a Discharge from the Demands of any other Creditor or Creditors by virtue of this Act, such Prisoner shall have no Benefit of this Act, unless such Person or Persons for whose Benefit any such Conveyance or Assignment shall have been made shall first relinquish the same; and all such Estate and Effects shall be conveyed or delivered by such Person or Persons as the Court shall direct, for the Benefit of all the Creditors of such Prisoner under the Provisions of this Act; or unless all the Creditors against whom such Discharge shall be sought shall consent thereto.

Assignees may apply to Court to have Prisoner who has obtained

XLIII. And whereas the Estates both Real and Personal of any Prisoner who may be discharged by virtue of this Act may not be sufficiently described or discovered in the Schedule before directed to be delivered upon Oath by such Prisoner, or the Assistance of such Prisoner may be necessary to adjust, make out, recover or manage his Estate or Effects for the Benefit of his or her Creditors; Be it therefore enacted, That it shall and may be lawful to and for the Assignee or Assignees of the Estate and Effects of any such Prisoner who shall obtain his or her discharge in pursuance of this Act,



Act, from time to time to apply to the Court by whom such Prisoner shall have been discharged, that such Prisoner may be further examined as to any Matters or Things relating to his or her Estate and Effects, either by such Court, or by any Justice of the Peace within whose Jurisdiction such Prisoner shall then reside; and if such Court shall direct any such Examination before any such Justice, such Justice shall send for or call before him such Prisoner, by such Warrant, Summons, Ways or Means as he shall think fit; and if such Prisoner shall appear before such Justice, such Justice shall examine him or her upon Oath, or otherwise, as to such Matters and Things as such Assignee or Assignees shall desire relating to the Estate and Effects of such Prisoner; and if any such Prisoner, on Payment or Tender of Payment of such reasonable Charges as such Justice shall judge sufficient, shall neglect or refuse to appear before such Justice, not having a lawful Excuse allowed by such Justice, or, being come before such Justice, shall refuse to be sworn or to answer such Questions as by such Justice shall be put to him or her, relating to the Discovery of his or her Estate and Effects vested or intended to be vested in such Assignee or Assignees as aforesaid, as required by the Order of the said Court, such Justice shall certify such Default to the said Court; and thereupon, and also in case such Prisoner shall neglect or refuse to appear before such Court to be examined by such Court, if the Court shall think fit so to order, or, appearing before such Court, shall refuse to be sworn, or to answer such Questions as shall be put to him or her relating to the Discovery of his or her Estate or Effects, then and in any such cases it shall be lawful for such Court to commit such Prisoner so offending to any Prison within the Jurisdiction of such Court, there to remain without Bail or Mainprize, until such time as he or she shall submit himself or herself to such Court and answer upon Oath or otherwise as shall be required, to all such lawful Questions as shall by such Court be put or ordered to be put to him or her for the Purposes aforesaid.

XLIV. And be it further enacted, That it shall and may be lawful at all times hereafter, for any Assignee or Assignees of the Estate and Effects of any Prisoner discharged by virtue of this Act, by and with the Consent of the major Part in value of the Creditors of such Prisoner who shall be present at a Meeting to be had on Twenty one Days' Notice being previously given for the Purpose in the *Dublin Gazette*, if the Prisoner was in Custody in the County of *Dublin*, or County of the City of *Dublin*, at the time of his or her Discharge, and if not, then in some Newspaper which shall be published and circulated in the County, City or Place in or near which such Prisoner shall have been so in Custody, to make Composition with any Person who shall be a Debtor or Accountant to such Prisoner, where a Composition shall appear necessary or reasonable, and to take such reasonable Part of any Debt due to such Prisoner as can upon any such Composition be gotten, in full Discharge of such Debt, and also to submit to Arbitration, any Difference or Dispute between such Assignee or Assignees, and any Person or Persons, for or on account or by reason of any Matter, Cause or Thing, relative to the Estate or Effects of such Prisoner; and every such Assignee or Assignees is and are hereby indemnified for what he, she or they shall fairly do in the Premises, in pursuance of this Act.

XLV. And be it further enacted, That it shall and may be lawful to and for the Court by whom any such Person shall be discharged from

Discharge, further examined.

Assignees, with Consent of Majority of Creditors, may take Composition from Debtors of Prisoner.

Court may hear Complaints against Assignees,

and may remove  
them.

from time to time, upon the Petition of any Person so discharged or of any Creditor or Creditors of such Person, complaining of any Insufficiency, Fraud or Misconduct of any Assignee or Assignees of the Estate and Effects of such Person, to summon all Parties concerned, and upon hearing the Parties concerned, to make and give such Orders and Directions therein, either for the Removal of such Assignee or Assignees and appointing any new Assignee or Assignees in the Place of such Assignee or Assignees so to be removed, and for the prudent, just and equitable Management and Distribution of the Estate and Effects of any such Person for the Benefit of his or her Creditors, as the said Court shall think fit; and in case of the Removal of any Assignee or Assignees, and the appointing of any new Assignee or Assignees, the Estate and Effects of such Person so discharged shall from thenceforth be divested out of the Assignee or Assignees so removed, and be vested in and delivered over to such new Assignee or Assignees, in the same manner, and for the same Intents and Purposes as the same were before vested in the Assignee or Assignees first appointed; any thing in this Act contained to the contrary notwithstanding.

In case of Death  
or Incapacity of  
Assignee, an-  
other appointed.

XLVI. And be it further enacted, That in case of the Death or Incapacity of any Assignee of the Estate and Effects of any Person discharged by virtue of this Act, or in case any Assignee shall be unwilling to Act as Assignee, it shall and may be lawful to and for any Creditor of such Prisoner to apply to the said Court to appoint a new Assignee or Assignees, with like Powers and Authorities as are given by this Act to the original Assignee or Assignees; and the said Court shall have Power to appoint such new Assignee or Assignees accordingly, and to oblige any Assignee who shall be removed, and the Heirs, Executors, Administrators and Assigns of any deceased Assignee, to account for and deliver up all such Estate and Effects, as shall remain in his, her or their Hands, to be applied for the Purposes of this Act; and the Decision of the said Court thereupon shall be final and conclusive.

Assignees, &c.  
not paying over  
Balance of Estate  
proceeded  
against.

XLVII. And be it further enacted, That in case any Assignee or Assignees of the Estate and Effects of any Prisoner discharged by virtue of this Act, or the Heirs, Executors or Administrators of any deceased Assignee or Assignees, shall not deliver over any Part of such Estate or Effects, or pay the Balance of the Produce of any such Estate or Effects found to be in the Hands of such deceased Assignee or Assignees, or of such Heirs, Executors or Administrators as aforesaid, according to the Order of the said Court, it shall be lawful for the said Court to order the Person or Persons disobeying such Order to be arrested, and committed to the next County Gaol, there to remain, without Bail or Mainprize, until such Person or Persons shall have obeyed such Order, and paid all such Costs as the said Court shall award to be paid in respect thereof, or until such Court shall make other Order to the contrary.

XLVIII. And whereas Persons are often committed by the Courts of Law and Equity for Contempts in not paying Money ordered or awarded to be paid, and also for not paying of Costs duly and regularly taxed and allowed by the proper Officer, after proper Demands made for that Purpose, and also upon the Writ *de Executione committendo capiendo*, or other Process, for or grounded on the Non-payment of Money, Costs or Expences, in some Cause or Proceeding

in some Ecclesiastical Court, or for Contempt of such Court by Nonpayment of Money, Costs or Expences; Be it further enacted, that all such Persons so committed shall be entitled to the Benefit of his Act, on and subject to the same Terms, Conditions and Restrictions, as are herein expressed and declared with respect to Prisoners for Debt only.

**XLIX.** And be it further enacted, That in all cases wherein by his Act an Oath is required, the solemn Affirmation of any Person being a Quaker shall and may be accepted and taken in lieu thereof; and every Person making such Affirmation, who shall be convicted of wilful false Affirmation, shall incur and suffer such and the same Penalties as are inflicted and imposed upon Persons convicted of Perjury under the Laws in force in *Ireland*.

**L.** Provided always, and be it further enacted, That no Person who shall have taken the Benefit of any Act heretofore passed for the Relief of Insolvent Debtors shall have the Benefit of this Act, nor be deemed to be within the Intent and Meaning thereof, so as to be discharged under the same, until the Expiration of the Term of five Years from the time of such former Discharge; any thing heretofore contained to the contrary thereof notwithstanding; unless upon special Circumstances the Court to which such Person shall apply to be discharged under the Directions of this Act should be of Opinion that it would be just and reasonable that such Prisoner should be again discharged by virtue of this Act.

**LI.** Provided always, and be it further enacted, That this Act shall not extend, or be construed to extend, to discharge any Prisoner taking the Benefit of this Act, with respect to any Debt or Penalty with which he or she shall stand charged at the Suit of The Crown, or of any Person for any Offence committed against any Act or Acts of Parliament relative to His Majesty's Revenues of Customs, Excise or Stamp Duties, or any of them, or any Branches of the said Public Revenue, or at the Suit of any Sheriff or other Public Officer, upon any Bail Bond entered into for the Appearance of any Person prosecuted for any Offence committed against any Act or Acts of Parliament relative to His Majesty's said Revenues of Customs, Excise or Stamp Duties, or any other Branches of Public Revenue, unless Three of the Commissioners for executing the Office of Lord High Treasurer in *Ireland* for the time being shall certify under their Hands their Consent to the Discharge of such Prisoner, upon the Terms and Conditions prescribed by this Act.

**LII.** Provided always, and be it further enacted, That no Person who shall have been at any time discharged by virtue of this Act shall again be entitled to the Benefit thereof within the Space of Five Years after such Discharge, unless Three fourths in Number and Value of the Creditors against whom such Person shall seek to be so discharged a second time by virtue of this Act, shall signify his, her or their Assent to such Discharge, or it shall be made appear to the Satisfaction of the Court to whom such Person shall apply for his Discharge, that such Person has since his or her former Discharge endeavoured by Industry and Frugality to pay all just Demands upon him or her, and has incurred no unnecessary Expence, and that the Debts which such Person has incurred, subsequent to such former Discharge, have been necessarily incurred for the Maintenance of such Person, or his or her Family, or that the Insolvency of such Person has arisen from

Persons committed for Contempt of Courts, in not paying Costs, &c. entitled to Benefit of Act.

Affirmation of Quaker taken.

Perjury.

Persons taking Benefit of any Insolvent Act within Five Years not entitled to Relief.

Crown Debtors or Persons committed for Offences against Revenue, not entitled to Benefit of Act.

Prisoner discharged, not entitled to Benefit within Five Years, unless Debts necessarily incurred, &c.

from Misfortune, or from Inability to acquire Subsistence for himself or herself, and his or her Family, or from Debts incurred prior to such former Discharge, to which such Discharge did not extend, or from Debts incurred subsequent to such Discharge in consequence of Engagements entered into or Acts done prior to such Discharge.

Act not to extend to Foreigners, Exceptions.

LIII. Provided always, and be it further enacted, That no Person, not being a natural-born Subject of His Majesty, his Heirs or Successors, shall have the Benefit of this Act, except under such circumstances, and on such Terms and Conditions, as to the Court to which such Person shall apply to be discharged pursuant to this Act, shall seem fit and reasonable; any thing in this Act contained to the contrary notwithstanding.

Time allowed to answer Objection to Discharge of Prisoner.

LIV. Provided always, and be it further enacted, That if any Objection shall be made to the Discharge of any Prisoner on the Ground of any Misconduct of any such Prisoner, and it shall appear to the said Court that such Prisoner might not have been aware of such Objection so as to be able to answer the same, such Court shall allow such Prisoner sufficient time to answer such Objection; and shall also, if necessary, require such Objection to be stated in Writing to such Prisoner, so that such Prisoner may be fully apprized thereof.

Court empowered to discharge notwithstanding Objection on ground of Misconduct.

LV. Provided also, and be it further enacted, That in case it shall appear to the Satisfaction of the said Court, that any Misconduct which shall be attributed to any Prisoner to prevent his or her Discharge, although strictly within the Intent and Meaning of this Act, was nevertheless attended with such circumstances, or the Injury thereby done was to so small an Amount, that it may not be fit that such Prisoner should on that account be deprived of the Benefit of this Act, it shall be lawful for the said Court to discharge such Prisoner, notwithstanding any Objection founded on such Misconduct, either in the same manner as if such Objection had not been made, or on such further Terms and Conditions as to the said Court shall appear reasonable, in consequence of such Misconduct: Provided also, that in case it shall appear to the Satisfaction of the said Court, that any Debt contracted by any Prisoner seeking to be discharged by virtue of this Act, was contracted under any fraudulent circumstances not specially provided for by this Act, it shall be lawful for the said Court to except such Debt from the Discharge to be granted to such Prisoner, either absolutely or upon such Terms and Conditions as to the said Court shall appear to be proper; and if such Prisoner shall be in actual Custody for such Debt, it shall be lawful for the said Court to remand such Prisoner according to the Determination of the said Court upon such Debt.

Debt contracted fraudulently not discharged.

All Courts with same Title deemed same Courts.

LVI. And be it further enacted, That all Assizes and other Courts which shall have the same Title and Jurisdiction, and within the same Limits respectively, shall, as to all the Purposes of this Act, be deemed and taken to be the same Courts respectively, although sitting under different Commissions or Warrants respectively.

Prisoners of un-sound Mind.

LVII. And be it further enacted, That if any Person who shall at any time be a Prisoner in any such Prison in Ireland as aforesaid, upon any such Process as aforesaid, shall be or become of un-sound Mind, and therefore incapable of taking the Benefit of this Act in such manner as he or she might have done if of sound Mind, the Gaoler or Keeper of such Prison shall forthwith require One or more Justice or Justices of the Peace within whose Jurisdiction such Prisoner shall

shall be, to attend at the said Prison, and enquire into the State of Mind of such Prisoner; and thereupon, and also in case any such Justice or Justices shall receive Information by any other means that any such Prisoner is of unsound Mind as aforesaid, such Justice or Justices shall go to the said Prison, and by his or their own View, and by Examination on Oath of such Person or Persons as he or they shall think fit to examine, shall enquire into the State of Mind of such Prisoner; and if it shall appear to such Justice or Justices upon such Enquiry, that such Prisoner is of unsound Mind, and therefore incapable of taking the Benefit of this Act in such manner as a Person of sound Mind might do, such Justice or Justices shall forthwith make

Proceedings.

Record of the Fact, and certify the same to the Court to which such Prisoner might, if of sound Mind, present his Petition to be discharged by virtue of this Act; and thereupon it shall be lawful for such Court, at the Instance of any Person or Persons on behalf of such Prisoner, to order Notice to be inserted in the *Dublin Gazette*, and in Two or more public Newspapers usually circulated in the Neighbourhood of such Prison, and in the Neighbourhood of the usual Residence of such Prisoner before he or she was committed to such Prison, as the said Court shall see fit, and shall in such Order specify and direct that Application will be made to such Court or to the Court of Assize in manner hereinbefore mentioned, for the Discharge of such Prisoner, on a Day to be specified in such Order, being Twenty Days at the least from the Day of Publication of such One of such Gazette and Newspapers, containing such Notice as shall be last published; which Notice, together with Service of the like Notice on the Creditor and Creditors at whose Suit such Prisoner shall be detained in Custody, or his, her or their Attorney or Attornies in such Suit, shall be deemed sufficient to authorize the said Courts respectively to proceed to the Discharge of such Prisoner, if otherwise entitled to such Discharge, according to the true Intent and Meaning of this Act; and such Court respectively shall proceed accordingly, and shall discharge such Prisoner, in case it shall appear that such Prisoner might have obtained his or her Discharge under this Act, if of sound Mind; and thereupon such Courts respectively shall direct a Conveyance and Assignment to be made of the Estate and Effects of such Prisoner, and Engagement for the Payment of his or her Debts, according to the Provisions of this Act, to be executed by the Clerk of the said Courts respectively, in the Name and on the behalf of such Prisoner; which Conveyance, Assignment and Engagement shall be made accordingly, unless such Prisoner shall have been found a Person of unsound Mind by Inquisition taken under a Commission in the Nature of a Writ *de Lunatico inquirendo*, in which case such Conveyance, Assignment and Engagement shall be executed by the Committee or Committees of such Lunatic, in such manner as shall be directed by the Lord Chancellor, Lord Keeper or Lords Commissioners for the Custody of the Great Seal of *Ireland*, or such Person or Persons as shall be authorized by the Royal Sign Manual, to provide for the Care and Custody of the Persons and Estates of Persons found Lunatic by Inquisition; and such Conveyance, Assignment and Engagement so made, shall be sufficient to all Intents and Purposes to vest the Property of such Prisoner in the Person or Persons to whom the same shall be directed by the said Court to be conveyed and assigned, and shall bind such Prisoner,

Notice in  
Dublin Gazette.Discharge in  
what case.Writ de Lunatico  
inquirendo.

Prisoner, his or her Heirs, Executors and Administrators, as fully and effectually as if such Conveyance, Assignment and Engagement respectively had been duly executed by such Prisoner.

Continuance of  
Act.

LVIII. And be it further enacted, That this Act shall continue in force until the First Day of *November* in the Year One thousand eight hundred and eighteen, and thenceforth until the End of the then next Session of Parliament, and no longer.

Act amended,  
&c.

LIX. And be it further enacted, That this Act may be amended, altered or repealed by any Act or Acts to be made in this present Session of Parliament.

### C A P. CXXXIX.

An Act for exempting Bankers, and others, from certain Penalties contained in an Act of the last Session of Parliament, for the further Prevention of the Counterfeiting of Silver Tokens issued by the Governor and Company of the Bank of *England*, called *Dollars*, and of Silver Pieces issued and circulated by the Governor and Company, called *Tokens*; and for the further Prevention of Frauds practised by the Imitation of the Notes or Bills of the said Governor and Company.

[13th July 1813.]

52 G. 3. c. 138.

§ 5.

WHEREAS by an Act passed in the last Session of Parliament, intituled *An Act for the further Prevention of the Counterfeiting of Silver Tokens issued by the Governor and Company of the Bank of England, called Dollars, and of Silver Pieces issued and circulated by the said Governor and Company, called Tokens; and for the further Prevention of Frauds practised by the Imitation of the Notes or Bills of the said Governor and Company*; it was enacted, that if any Person, from and after the First Day of *August* One thousand eight hundred and twelve, should engrave, cut, etch, scrape or by any other Means or Device make, or should cause or procure to be engraved, cut, etched, scraped, or by any other Means or Device made, or should knowingly aid or assist in the engraving, cutting, etching, scraping, or by any other Means or Device making, in or upon any Plate of Copper, Brass, Steel, Pewter, or of any other Metal or Mixture of Metals, or upon any Wood or any other Materials, or upon any Plate whatsoever, any Word or Words, Figure or Figures, Character or Characters, the Impression taken from which should resemble or be apparently intended to resemble the Whole or any Part of any of the Notes or Bills of the said Governor and Company, commonly called *Bank Notes* and *Bank Post Bills*, or should contain any Word, Number, Figure or Character in White on a black, sable or dark Ground, without an Authority in Writing for that Purpose from the said Governor and Company, to be produced and proved by the Party accused, or should (without such Authority as aforesaid) use any such Plate, Wood or other Material, so engraved, cut, etched, scraped, or by any other Means or Device made, or should use any other Instrument or Device for the making or printing upon any Paper or other Material, any Word or Words, Figure or Figures, Character or Characters, which should be apparently intended to resemble the Whole or any Part of the said Notes or Bills of the said

Governor and Company, or any Word, Number, Figure or Character in White on a black, fable or dark Ground; or if any Person or Persons should, from and after the First Day of *August* One thousand eight hundred and twelve (without such Authority as aforesaid) knowingly have in his, her or their Custody, any such Plate, Instrument or Device, or should knowingly and wilfully utter, publish or dispose of, or put away any Paper or other Material containing any such Word or Words, Figure or Figures, Character or Characters as aforesaid, or should knowingly or wittingly have in his, her or their Custody or Possession, any Paper or other Material containing any such Word or Words, Figure or Figures, Character or Characters as aforesaid (without lawful Excuse, the Proof whereof should lie upon the Person accused), every Person so offending in any of the cases aforesaid, and being convicted thereof according to Law, should be adjudged a Felon, and should be transported for the Term of Fourteen Years: And whereas many Persons carrying on the Business of Bankers have, in Ignorance of the Provisions of the said Act, made, issued and circulated, Promissory Notes containing white Letters or Figures on a black, fable or dark Ground; and many of such Notes are now in Circulation: And whereas it is expedient to give a reasonable time to all such Bankers to call in such Notes, and to issue others in lieu thereof; 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 Person shall be liable to Prosecution by virtue of the said recited Act for having, before the passing of this Act, engraved, cut, etched, scraped or made, or caused or procured to be engraved, cut, etched, scraped or made, by Authority of any Person or Persons acting as a Banker or Bankers, any Promissory Note, or Part of a Promissory Note, for Payment of Money, the Impression taken from which may contain any Word, Number, Figure or Character in White on a black, fable or dark Ground, or for having made or printed by such Authority as aforesaid, before the passing of this Act, any such Promissory Note, or Part of a Promissory Note, or for having heretofore issued or circulated any such Promissory Note, or having heretofore had any such Promissory Note in his or her Possession or Custody, or who shall, before the First Day of *November* in the Year One thousand eight hundred and sixteen, issue or circulate, or have in his or her Possession or Custody, any such Promissory Note, the Date whereof shall not be later than the First Day of *November* in the Year One thousand eight hundred and thirteen; any thing in the said Act contained to the contrary thereof notwithstanding; Provided always, that nothing herein contained shall extend, or be construed to extend, to repeal or suspend any Provision contained in the said Act respecting the engraving, cutting, etching, scraping or making any Word or Words, Figure or Figures, Character or Characters, the Impression taken from which may resemble, or be apparently intended to resemble, the Whole or any Part of any of the Notes or Bills of the Governor and Company of the Bank of *England*, commonly called *Bank Notes* or *Bank Post Bills*, or the using any Plate or other Material upon which any such Word or Words, Figure or Figures, Character or Characters may be engraved, cut, etched,

Persons not liable to Prosecution under recited Act for having engraved, &c. Notes, &c. resembling those of Bank of England, before passing of Act; nor within a certain Period.

Provisions of recited Act not repealed or suspended.

scraped or made, or the using any other Instrument or Device for making or printing any such Word or Words, Figure or Figures, Character or Characters, or the having any such Plate, Instrument or Device, in Custody or Possession, or the uttering, publishing, disposing of or putting away, or the having in Custody or Possession any Paper or other Material containing any such Word or Words, Figure or Figures, Character or Characters; any thing herein contained to the contrary notwithstanding; Provided also, that nothing herein contained shall extend or be construed to extend to repeal or suspend any Enactment, Provision, Matter or Thing contained in an Act passed in the Thirteenth Year of the Reign of His present Majesty, intituled *An Act for the more effectual preventing the forging of the Notes or Bills of the Governor and Company of the Bank of England; and for the preventing the obtaining a false Credit by the Issuance of the Notes or Bills of the said Governor and Company*; any thing herein contained to the contrary notwithstanding.

Nor Provisions  
of 13 G. 3. c. 79.

### C A P. CXL.

An Act to amend an Act made in the last Session of Parliament, intituled *An Act for the more effectual Regulation of Pilots, and of the Pilotage of Ships and Vessels on the Coast of England, and for the Regulation of Boatmen employed in supplying Vessels with Pilots, licensed under the said Act, so far as relates to the Coast of Kent, within the Limits of The Cinque Ports.* [13th July 1813.]

52 G. 3. c. 39.

WHEREAS an Act passed in the Fifty second Year of the Reign of His present Majesty, intituled *An Act for the more effectual Regulation of Pilots, and of the Pilotage of Ships and Vessels on the Coast of England*: And whereas it is necessary for the ensuring a proper Supply of Pilots under the said Act for Vessels passing *Dover* and through *The Downs*, to and from the River *Thames* and other Places, that further Provisions should be made for the licensing and Regulation of Boatmen usually employed in putting Pilots on board of Vessels from *Dover, Deal, and Ramsgate* and *Margate*: 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 One hundred and forty Boatmen shall be licensed by the Lord Warden of the Cinque Ports, or by his Lieutenant, or by the Deputy Lieutenant Governor of *Dover Castle*, or such other Person or Persons as shall be from time to time specially authorized by the Lord Warden for that Purpose within the Jurisdiction of the Cinque Ports, for the Purpose of assisting Ships in Distress and conducting them into and out of the Harbours of *Dover, Ramsgate, Margate* and *Folkstone*, and putting licensed Cinque Port Pilots on board of Ships and Vessels coming from the Westward and bound up the River of *Thames* and *Medway*; and Fifty of such Boatmen shall constantly reside at *Dover*, Fifty at *Deal*, Twenty at *Ramsgate* and Twenty at *Margate*; and all such Boatmen shall be respectively required by such Licences so to reside at the respective Places to be specified in their Licences,

Warden of  
Cinque Ports to  
license Boatmen  
to assist Vessels  
in Distress and  
carry off Pilots.

and



and shall, upon quitting their Places of Residence, or neglecting to use or act under the same for the Space of Two Months, unless prevented by Illness, forfeit such Licences: And all such Boatmen, before any such Licence shall be given as aforesaid, shall be examined as to their Knowledge of the Coast, and their Ability to conduct Ships and Vessels into *The Downs*, and the Harbours of *Dover*, *Ramsgate*, and *Margate* and *Folkstone*, by the Commissioners of the Lord Warden of the Cinque Ports for settling Salvage and the other Commissioners appointed by this Act, at the respective Places where such Boatmen shall apply to be licensed at a Meeting to be held for the Purpose of this Act, upon whose Certificate the Lord Warden or his Lieutenant, or the Deputy Lieutenant Governor of *Dover Castle*, or such other Person or Persons as shall be authorized as aforesaid, shall be and are hereby authorized and empowered to grant such Licence as aforesaid; and if the Number of Persons so approved and qualified to act as such licensed Boatmen shall exceed the Number prescribed by this Act, the Names of the Persons so approved and qualified shall be entered in a Book to be provided for that Purpose, together with the times of their Approval and Examination, in order that they may regularly succeed by Rotation to the Vacancies that may from time to time occur of such licensed Boatmen; and Licences shall thereupon be granted to such Boatmen, in such Order and Rotation from time to time as Vacancies arise by Death or Forfeiture of Licences or otherwise, in order that such Number of licensed Boatmen for such respective Places as aforesaid may at all times be complete.

Boatmen examined before Licence granted.

II. And be it further enacted, That the Mayor of *Dover*, the Mayor of *Sandwich*, and the Mayor of *Deal*, and also the Two senior Justices of the Peace for each of those Places for the time being, not being Commissioners of Salvage, shall, and they are hereby appointed jointly with the said Commissioners of Salvage of the Lord Warden, Commissioners for the Purpose of carrying this Act into Execution within their respective Jurisdictions, and examining such Boatmen, and granting such Certificates as aforesaid to Boatmen for Licences under this Act.

Commissioners for examining Boatmen.

III. And be it further enacted, That it shall be lawful for the said Commissioners of Salvage at the respective Places for which they are authorized and empowered to act as such Commissioners, under and by virtue of an Act passed in the Forty eighth Year of the Reign of His present Majesty, intituled *An Act for preventing various Frauds and Depredations committed on Merchants, Ship Owners and Underwriters, by Boatmen and others, within the Jurisdiction of the Cinque Ports; and also for remedying certain Defects relative to the Adjustment of Salvage, under a Statute made in the Twelfth Year of the Reign of Her late Majesty Queen Anne*, to make Rules, Orders and Regulations for the Government of such Number of Boatmen to be licensed under this Act, as are hereafter specified, at their respective Places; and such Rules, Orders and Regulations when made, shall be printed and put up in conspicuous Parts of the Custom Houses, Piers, Harbours and Places, to which such Rules, Orders and Regulations apply, for the Inspection of all such Boatmen and other Boatmen, and all other Persons having occasion to employ such Boatmen, and all Persons interested in the enforcing such Rules, Orders and Regulations as aforesaid.

Rules for Boatmen made by Commissioners.

48 G. 3. c. 130.

Licence to Boatmen free of Stamps.

IV. And be it further enacted, That no Licence granted or to be granted under the Authority and Provisions of this Act, to any Boatman, shall be subject to any Stamp Duty; any thing in any Act or Acts of Parliament to the contrary notwithstanding.

Licence to describe Person, and produced to Officer of Customs, &c.

V. And be it further enacted, That every such Licence shall be written or printed in large Characters, so as to be read with great Facility by Night as well as by Day; and every such Licence shall contain a Description of the Person to whom the same is granted, and his Place of Residence, and the Date of granting thereof, and shall specify by whom the same was granted; and any Boatman so licensed shall, when on board, have with him his proper Licence, and shall, whenever the same shall be demanded by any Officer of Custom or Excise, or the Master or other Person having the Command of any Merchant Ship or Vessel, produce the same for Inspection: And any Boatman who shall alter any such Licence, or obliterate the same, or knowingly permit or suffer any Alteration or Obliteration to be made in such Licence, or who shall transfer or lend any such Licence to any other Person or Persons, or who shall refuse to produce his Licence for Inspection, shall, for every such Offence, forfeit such Licence, or forfeit and pay any Sum not exceeding Ten Pounds, at the Discretion of the said Commissioners.

Licence altered or lent.

Penalty. Proviso.

VI. Provided always, and be it further enacted, That no such Licence, or any Provision relating thereto or contained in this Act, in relation to any such Boatmen, and no Rules or Regulations made under the Authority thereof, shall have any Effect or be deemed or construed to affect or in any manner to alter or interfere with any Provision, Claim, Penalty, Forfeiture, Relation, Matter or Thing contained in this Act, or in any Act passed and now in force, or which may hereafter be passed, for the Prevention of Smuggling; or to exempt any such licensed Boatman from any of the Provisions of any such Act, or any Act or Acts of Parliament relating to His Majesty's Customs or Excise.

Licensed Boatmen offending against Revenue Laws.

VII. Provided also, and be it further enacted, That if any Boatman licensed under the Provisions of this Act, shall be convicted of any Offence against any Law or Laws relating to the Revenue of Customs or Excise, or shall be concerned in or shall wilfully connive at any indirect Practice or Frauds against the Revenues of Customs or Excise, or shall procure, abet, connive at or participate in any dishonest Spoil, Concealment, Fraud, Exaction or Corrupt Practice, relating to Ships or Vessels, or Persons in Distress at Sea or by Shipwreck, or relating to the Tackle, Apparel, Furniture or Cargoes of any such Ship or Vessel, or relating to the Crew or Passengers belonging thereto, or the Monies, Goods or Chattels of any of them; then and in every such case, any such licensed Boatman shall, over and above all other Punishments, Mulcts or Penalties, for such Offences forfeit his Licence, or be suspended from acting as a licensed Boatman, at the Discretion of the said Commissioners.

Penalty.

Rates to Boatmen for putting Pilots on board of Vessels:

VIII. And be it further enacted, That all such licensed Boatmen shall be paid the Rates now allowed for putting Cinque Ports Pilots on board Ships or Vessels, but shall not be entitled to any such Rates unless the Pilot is actually shipped and put on board of such Ships or Vessels, and such Boatmen shall be entitled to demand, have and receive the Sum of Five Shillings for every Foot of the Draft of Water of any Vessel piloted by them into any of the said Harbours, and

and Three Shillings for every Foot Draft of Water for piloting out of any of the said Harbours; and such Payments shall in both cases include the Hire of the Boat and Crew in moderate Weather; but if such Pilotage or Assistance shall take place under any circumstances of Distress, then such Boatmen shall be allowed such Sum as the said Commissioners of Salvage of the Lord Warden shall in each such case award.

In cases of Distress, settled by Commissioners.

IX. And whereas Impositions are often practised upon Passengers landed from Vessels, and Disputes often arise as to the Sums proper to be paid in such cases; For Remedy whereof, be it further enacted, That it shall be lawful for the Commissioners of Salvage at any of the Ports and Places for which Commissioners of Salvage shall be appointed, upon the Application of any Boatman or of any Passenger or Passengers landed by any Boatman at any such Ports or Places respectively, to hear and in a summary manner to settle any Dispute which shall arise between any such Boatman or Passenger, and to fix and adjust the Sum to be paid by such Passenger or Passengers respectively, for any Service which shall have been performed by such Boatman or Boatmen in the bringing on Shore or landing from any Ship or Vessel any Passenger or Passengers, or the Goods or Baggage of any Passenger or Passengers, and to make such Order in relation thereto as shall appear to the said Commissioners to be necessary and proper; and such Commissioners shall for that Purpose use and exercise all such and the like Powers and Authorities as are given to them in case of Salvage, by the said recited Act of the Forty eighth Year aforesaid.

Commissioners may settle Dispute between Boatmen and Passengers, as to Sums to be paid for landing from Ships.

X. And be it further enacted, That no more than Two licensed Boatmen shall be allowed to go in each Boat; and in every case in which any such licensed Boatmen shall be cruising without any licensed Cinque Ports Pilot, and shall fall in with any Ship or Vessel requiring a licensed Cinque Ports Pilot, One of the licensed Boatmen shall be left on board the Ship or Vessel wanting such Pilot, as a Guarantee for a proper licensed Cinque Ports Pilot being brought or sent off the Shore to such Ship or Vessel; and the Boatman so left shall not be entitled to any Sum of Money or Payment for being so left, or being on board of such Ship or Vessel.

48 G. 3. c. 130.

Licensed Boatmen cruising without Pilot to leave one of licensed Boatmen on board of Ship as Guarantee for bringing off Pilot.

XI. And be it further enacted, That every such licensed Boatman having a Boat, shall cause the Number of his Licence to be distinctly painted in Figures on each Bow and Quarter of such Boat, and on both Sides of every one of the Sails thereof, with the Addition for the *Dover* Boats, of the Roman Letters *D. R.* in Black; the *Deal* Boats, the Letter *D.* in Black; the *Ramsgate* Boats, the Letter *R.* in Black; the *Margate* Boats, the Letter *M.* in Black, which Figures and Letters shall be at least Eighteen Inches in Length, and Twelve Inches in Breadth: And every licensed Boatman who shall not have the proper Number and Mark distinctly painted in manner aforesaid, on the Sails of his Boat, or who shall have any Sails on board not duly numbered and marked as aforesaid, or improperly numbered and marked, or who shall in any manner evade or attempt to evade any of the Provisions of this Act, shall forfeit his Licence, and also a Sum not exceeding Ten Pounds.

Boats of licensed Boatmen marked on Sails.

XII. And be it further enacted, That if any Boat or Vessel not having a licensed Boatman on board, shall without lawful Authority

Penalty.

Boatmen not licensed carry

ing distinguishing  
Marks.

Penalty.

Licensed Boat-  
men refusing to  
take off licensed  
Pilots.

Penalty.

Pilots neglecting  
to go off to let  
their Turn.

Licences to con-  
tinue in force  
during good  
Behaviour.

Penalties how  
recovered.

52 G. 3. c. 39.  
§ 10.

Privy Council  
empowered to  
suspend Provi-  
sion as to a cer-  
tain Number of  
Cinque Ports  
Pilots being con-  
stantly afloat.

carry such distinguishing Numbers and Marks as aforesaid, the Owner or Owners, or the Master or other Person having Charge of such Boat or Vessel displaying or carrying any such Number or Mark, shall, for every such Offence, forfeit and pay the Sum of Ten Pounds.

XIII. And be it further enacted, That every such licensed Boatman as aforesaid, who shall, on being applied to by a licensed Cinque Port Pilot to take him off to any Ship or Vessel, refuse so to do, unless prevented by Illness, shall, upon due Proof thereof to the Satisfaction of the Commissioners for executing this Act, in the Place where he shall be licensed, forfeit his Licence, and any Sum of Money not exceeding the Sum of Twenty Pounds for each Offence.

XIV. And be it further enacted, That if any Pilot, whose Turn it shall be to go off on Duty, shall refuse or neglect so to do, on being applied to by any licensed Boatman to go off to any Ship or Vessel, such Pilot so neglecting or refusing to go off to such Ship or Vessel, shall lose his Turn, and such Ship or Vessel shall be piloted by any duly licensed Pilot who shall first get on board, but which shall not be taken for the Turn of Duty of such last mentioned Pilot.

XV. And be it further enacted, That all Licences to be granted by virtue of this Act, shall continue in force during so long time as the Boatmen to whom the same shall be granted shall faithfully and diligently discharge their Duty; and no such Licence shall be annulled or suspended but upon such Grounds of Complaint or Incapacity, Negligence or Misbehaviour, and an Order made thereon by the Commissioners acting in Execution of this Act, at a Meeting to be held for the Purposes of the said Act.

XVI. And be it further enacted, That all the Penalties and Forfeitures imposed by this Act, shall be recovered, levied and applied as any Penalties and Forfeitures may be recovered, levied and applied under the Provisions of the said recited Act of the last Session of Parliament; and all the Provisions, Clauses and Regulations in the said Act contained for the Recovery of Penalties and Forfeitures, shall be used, applied and enforced for the recovering, levying and applying the Penalties and Forfeitures under this Act, as fully and effectually as if the same were severally and separately re-enacted in and made Part of this Act.

XVII. And whereas by the said recited Act passed in the last Session of Parliament, it is, amongst other things, enacted, that a proper and sufficient Number of the Cinque Port Pilots, not less than Eighteen at any one time, and in Succession from time to time, without Intermision or any unnecessary Delay, should at all seasonable times by Day and Night constantly ply at Sea, or be afloat between the South Foreland and Dungeness, to take Charge of Ships and Vessels coming from the Westward: And whereas it may be expedient to suspend the carrying into Execution that Part of the said recited Act; Be it therefore enacted, That it shall be lawful for His Majesty in Council by any Order or Orders made for that Purpose, and published by Proclamation in *The Gazette*, to suspend so much of the said recited Act as directs the Cinque Ports Pilots constantly to ply at Sea, and be afloat, between the Distances in the said Act specified, either for any Period His Majesty shall think proper, and to be in such case specified in

in such Order or Orders, and Proclamation, or until any further Order of His Majesty in Council shall be issued for again carrying the said Provision of the said recited Act into Effect and Execution; and all the Provisions, Penalties and Forfeitures in relation to such specified Number of Pilots constantly plying at Sea, and Clauses and Regulations for enforcing the same, shall, upon the issuing of such Proclamation, remain and continue so suspended.

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

### C A P. CXLI.

An Act to repeal an Act of the Seventeenth Year of the Reign of His present Majesty, intituled *An Act for registering the Grants of Life Annuities; and for the better Protection of Infants against such Grants; and to substitute other Provisions in lieu thereof.* [14th July 1813.]

• **W**HEREAS it is expedient that an Act, passed in the Seventeenth Year of His present Majesty, intituled *An Act for registering the Grants of Life Annuities; and for the better Protection of Infants against such Grants; and to substitute other Provisions substituted in lieu thereof:* 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 the said recited Act shall be and the same is hereby repealed, save and except so far as regards any Annuities or Rent Charges, which have been granted before the passing of this Act.

II. And be it further enacted, That within Thirty Days after the Execution of every Deed, Bond, Instrument or other Assurance, whereby any Annuity or Rent Charge shall, from and after the passing of this Act, be granted, for one or more Life or Lives, or for any Term of Years or greater Estate determinable on one or more Life or Lives, a Memorial of the Date of every such Deed, Bond, Instrument or other Assurance, of the Names of all the Parties and of all the Witnesses thereto, and of the Person or Persons for whose Life or Lives such Annuity or Rent Charge shall be granted, and of the Person or Persons by whom the same is to be beneficially received, the pecuniary Consideration or Considerations for granting the same, and the annual Sum or Sums to be paid, shall be enrolled in the High Court of Chancery, in the Form or to the Effect following, with such Alterations therein as the nature and circumstances of any particular case may reasonably require:

17 G. 3. c. 26.  
repealed, except  
as to Annuities  
or Rent Charges.

Annuities, &c.  
enrolled in  
Chancery.

Date of Instrument.	Nature of Instrument.	Names of Parties.	Names of Witnesses.	Name or Names of Person or Persons by whom Annuity or Rent Charge to be beneficially received.	Person or Persons for whose Life or Lives the Annuity or Rent Charge is granted.	Consideration and how paid.	Amount of Annuity or Rent Charge.
10 Aug. 1813.	Indentures of Lease and Release.	A. B. of one Part. C. D. of the other Part.	E. F. of G. H. of	C. D.	A. B.	£100. paid in Money. £500. paid in Notes of the Governor and Company of the Bank of England, or other Notes or Bills of Exchange, as therein may be.	£100. a Year.
Same Date.	Bond in Penalty of £1,200.	A. B. to C. D.	E. F. G. H.	For securing the same Annuity or Rent Charge.			
Same Date.	Warrant of Attorney to confess Judgment on the same Bond.	A. B. to J. K. and L. M. Attornies of Court of King's Bench.	E. F. G. H.				

Companies described by their usual Firm.

otherwise every such Deed, Bond, Instrument or other Assurance, shall be null and void, to all Intents and Purposes.

III. Provided always, and be it further enacted, That if any such Annuity shall be granted by, or to or for the Benefit of any Company exceeding in Number Ten Persons, which Company shall be formed for the Purpose of granting or purchasing Annuities, it shall be sufficient in any such Memorial to describe such Company by the usual Firm or Name of Trade.

IV. And

IV. And be it further enacted, That in every Deed, Bond, Instrument or other Assurance, whereby any Annuity or Rent Charge shall, from and after the passing of this Act, be granted or attempted to be granted, for one or more Life or Lives, or for any Term of Years or greater Estate determinable on one or more Life or Lives, where the Person or Persons to whom such Annuity shall be granted or secured to be paid, shall not be entitled thereto beneficially, the Name or Names of the Person or Persons who is or are intended to take the Annuity beneficially shall be described in such or the like manner as is hereinbefore required in the Enrolment; otherwise every such Deed, Instrument or other Assurance, shall be null and void.

Names of Parties beneficially interested, stated.

V. And be it further enacted, That in case any Person or Persons, by whom any Annuity or Rent Charge, of which such Particulars as aforesaid are hereby required to be enrolled, shall for the time being be payable, shall be desirous of obtaining a Copy of every or any Deed, Bond, Instrument or other Assurance, whereby such Annuity, or Rent Charge was granted, and of such his, her or their Desire, shall give Twenty one Days Notice in Writing to the Person or Persons for the time being entitled to such Annuity or Rent Charge, such Person or Persons shall, on or before the Expiration of such Twenty one Days, unless prevented by Fire or other inevitable Accident, and in that case if the Assurances shall not be destroyed by such Accident, then as soon after as such Impediment shall be removed, send or deliver to the Person or Persons requiring the same, a Copy of every Deed, Bond, Instrument or other Assurance, whereby such Annuity or Rent Charge was granted, or of such of the Assurances as in such Notice shall be required; and such last mentioned Person or Persons shall, at the time of receiving the same, pay to the Person or Persons furnishing the same, a Sum after the Rate of Six pence for every One hundred Words contained in every such Copy, and also the reasonable Costs of sending or delivering the same; and the Person or Persons holding the original Instruments by which such Annuity or Rent Charge shall be secured shall suffer the Person or Persons, to whom such Copies shall be delivered or sent, to examine the same with the Originals; and in case such Copies shall not be sent or delivered, or the Person or Persons holding the original Instruments shall refuse to suffer such Copies to be examined therewith according to the Direction in this Act, it shall be lawful for the Person or Persons by whom the Annuity or Rent Charge is payable to take out a Summons from any of His Majesty's Justices of His Courts of King's Bench and Common Pleas, requiring the Person or Persons neglecting to send or deliver such Copies, or refusing to suffer the same to be examined with the original Instrument as aforesaid, to appear before such Judge and shew Cause in the Premises; and it shall and may be lawful for the Judge before whom such Person or Persons shall be summoned to make such Order for the Production of the Instruments by which such Annuity or Rent Charge shall be secured, and for suffering the Complainant to take Copies thereof, and examine the same, or the Copies delivered with the original Instruments, and otherwise in the Premises, as to such Judge shall seem meet.

Copies of Deed or Instruments securing Annuities may be obtained.

Fee.

Summons.

VI. And be it further enacted, That if any Part of the Consideration for the Purchase of any such Annuity or Rent Charge shall be returned to the Person advancing the same, or in case such Consideration, or any Part of it shall be paid in Notes, if any of the Notes, with the

In what cases Proceedings against Grantors of Annuity stayed.

the Privy and Consent of the Person advancing the same, shall not be paid when due, or shall be cancelled or destroyed without being first paid; or if such Consideration is expressed to be paid in Money, but the same or any Part of it shall be paid in Goods; or if the Consideration or any Part of it shall be retained, on Pretence of answering the future Payments of the Annuity or Rent Charge, or any other Pretence; in all and every the aforesaid cases, it shall be lawful for the Person by whom the Annuity or Rent Charge is made payable, or whose Property is liable to be charged or affected thereby, to apply to the Court in which any Action shall be brought for Payment of the Annuity or Rent Charge, or Judgment entered by Motion, to stay Proceedings on the Action or Judgment, and if it shall appear to the Court that such Practices as aforesaid, or any of them, have been used, it shall and may be lawful for the Court to order every Deed, Bond, Instrument or other Assurance, whereby the Annuity or Rent Charge is secured, to be cancelled, and the Judgment, if any has been entered, to be vacated.

Book kept by Clerks of Enrolments in Chancery.

VII. And be it further enacted, That a particular Book shall be provided and kept by the Clerks of the Enrolments in Chancery, or their Deputy, in which such Particulars as hereinbefore are mentioned shall be entered Alphabetically, by the Names of the Grantors, in order of time as the same shall be brought to the Office; and the said Clerks of the Enrolments, or their Deputy, shall specify in the Book the certain Day, Hour and Time on which such Particulars are brought to the Office, and shall grant a Certificate of the Entry thereof, when required; and that there shall be paid for every such Entry Twenty Shillings only, and the Fee of One Shilling for every Certificate and Copy given, and the Fee of One Shilling for every Search in the Office, and no more.

Fees.

Contracts for Purchase of Annuities, by Persons under Age, void. Endeavouring to induce Infants to grant Annuities.

VIII. And be it further enacted, That all Contracts for the Purchase of any Annuity or Rent Charge with any Person, being under the Age of Twenty one Years, shall be and remain utterly void; any Attempt to confirm the same after such Person shall have attained the Age of Twenty one Years notwithstanding: And that if any Person shall, either in Person, by Letter, Agent or otherwise howsoever, procure, engage, solicit or ask any Person, being under the Age of Twenty one Years, to grant or attempt to grant any Annuity or Rent Charge, or to execute any Bond, Deed or other Instrument for securing the same, or shall advance or procure or treat for any Money to be advanced to any Person under the Age of Twenty one Years, upon Consideration of any Annuity or Rent Charge to be secured or granted by such Infant after he or she shall have attained his or her Age of Twenty one Years, or shall induce, solicit or procure any Infant, upon any Treaty or Transaction for Money advanced or to be advanced, to make Oath or to give his or her Word of Honour or solemn Promise, that he or she will not plead Infancy, or make any other Defence against the Demand of any such Annuity or Rent Charge, or the Repayment of the Money advanced to him or her when under Age, or that when he or she comes of Age, he or she will confirm or ratify, or in any way substantiate such Annuity or Rent Charge, every such Person shall be guilty of a Misdemeanor; and being thereof lawfully convicted in any Court of Assize, Oyer and Terminer, or General Gaol Delivery, shall and may be punished for the said Offence by Fine, Imprisonment or other Corporal Punishment, as the Court shall think fit to award.

Misdemeanor.

IX. And



IX. And be it further enacted, That all and every Solicitors and Solicitor, Scriveners and Scrivener, Brokers and Broker, and other Persons or Person, who, from and after the passing of this Act, shall ask, demand, accept or receive, directly or indirectly, any Sum or Sums of Money, or any other Kind of Gratuity or Reward, for the soliciting or procuring the Loan, and for the Brokerage of any Money that shall be actually and *bona fide* advanced and paid as and for the Price or Consideration of any such Annuity or Rent Charge, over and above the Sum of Ten Shillings for every One hundred Pounds so actually and *bona fide* advanced and paid, shall be deemed and adjudged guilty of a Misdemeanor, and being lawfully convicted of such Offence in any Court of Assize, Oyer and Terminer, or General Gaol Delivery, shall and may for every such Offence be punished by Fine and Imprisonment, or one of them, at the Discretion of the Court; and that the Person or Persons who shall have paid or given any Sum or Sums of Money, Gratuity or Reward, shall be deemed a competent Witness or Witnesses to prove the same.

Acting as Solicitors, &c. in such cases.

Misdemeanor.

Witnesses.

X. And be it further enacted, That this Act shall not extend to Scotland or Ireland, nor to any Annuity or Rent Charge given by Will or by Marriage Settlement, or for the Advancement of a Child, nor to any Annuity or Rent Charge secured upon Freehold or Copyhold or Customary Lands, in Great Britain or Ireland, or in any of His Majesty's Possessions beyond the Seas, of equal or greater Annual Value than the said Annuity, over and above any other Annuity, and the Interest of any Principal Sum charged or secured thereon, of which the Grantee had Notice at the time of the Grant, whereof the Grantor is seised in Fee Simple or Fee Tail in Possession, or the Fee Simple whereof in Possession the Grantor is enabled to charge at the time of the Grant, or secured by the actual Transfer of Stock in any of the Public Funds, the Dividends whereof are of equal or greater Annual Value than the said Annuity; nor to any voluntary Annuity or Rent Charge granted without regard to pecuniary Consideration or Money's Worth; nor to any Annuity or Rent Charge granted by any Body Corporate, or under any Authority or Trust created by Act of Parliament.

Proviso for Scotland or Ireland, and Annuities granted by Will, &c.

### C A P. CXLII.

An Act to explain and amend several Acts relative to the Land Tax.

[14th July 1813.]

WHEREAS an Act passed in the Thirty eighth Year of the Reign of His present Majesty, 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 eight*, was made perpetual by another Act passed in the same Year, intituled *An Act for making perpetual, subject to Redemption and Purchase in the manner therein stated, the several Sums of Money now charged in Great Britain as a Land Tax for One Year, from the Twenty fifth Day of March One thousand seven hundred and ninety eight*: And whereas Doubts have arisen whether several Clauses and Provisions in the said first mentioned Act, having reference to the particular Year One thousand seven hundred and ninety eight, are by the said other Act continued and made applicable to each subsequent Year of Assessment respectively, and the Execution of such Clauses

38 G. 3. c. 5.

38 G. 3. c. 60.

Clauses

All Matters required to be done by first recited Act by Commissioners, Assessors, &c. (Exception) shall be done by them in any Year for which Assessment made by virtue of last mentioned Act, &c.

‘Clauses and Provisions is thereby impeded: And whereas it is expedient that such Doubts should be removed and other Provisions made for the better Collection and Regulation of the Duties payable under and by virtue of the said recited Acts;’ 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, all Acts, Matters and Things authorized or required to be done or performed in and by the said first mentioned Act, in the Execution thereof within and for the Year One thousand seven hundred and ninety eight, by any Commissioners, Assessors or Collectors (except where any such Matters and Things are varied or otherwise provided for in and by this Act), may and shall be done and performed by them respectively, within or for the Year in or for which any Assessment shall be to be made by virtue of the said last mentioned Act, in like manner, and at the like times, and at the Places as were therein directed with reference to the said Year One thousand seven hundred and ninety eight; and all Matters and Things authorized or required to be done or performed in and by the said first mentioned Act in the Execution thereof, at any limited time after the Year One thousand seven hundred and ninety eight, by the said Commissioners, Assessors or Collectors (except as aforesaid), may and shall be done and performed by them respectively, within the like Period of time after the Year in or for which any Assessment shall be to be made as aforesaid; and all Dates and Times mentioned in the said first recited Act, within or during or after which or with reference to which, any of the Authorities, Powers, Provisions or Directions, are to be executed, which are within or are computed from the Year One thousand seven hundred and ninety eight, or from any Day or Time within the Year One thousand seven hundred and ninety eight, or within any prior or subsequent Year, with reference to the Execution of the said Acts for the Year One thousand seven hundred and ninety eight, shall be construed to refer to the Year of Assessment as aforesaid, and shall be computed within or from the Year in which any Assessment shall be to be made, or within any prior or subsequent Year, with reference to the Execution of the said Acts for such Year of Assessment, in like manner as is therein directed with reference to the Year One thousand seven hundred and ninety eight.

Commissioners to cause Two Duplicates of Assessments to be made out, One for Receiver General of each County, and One for Commissioners for Affairs of Taxes, &c.

II. Provided always, and be it further enacted, That the respective Commissioners for putting in Execution the said first recited Act shall, from and after the passing of this Act, cause Two Duplicates of every Assessment to be made out on Parchment by their Clerk, within Six Calendar Months after the Twenty fifth Day of *March* next following the making of the said Assessment yearly, containing the whole Sum assessed upon each Parish or Place, and also the Christian and Surnames of the respective Assessors or Collectors, One of which said Duplicates the said Commissioners shall cause to be delivered unto the Receiver General of each County, Riding, City, Borough, Town and Place in *England, Wales and Berwick upon Tweed*, or his Deputy; and the other of them, to be sent by the said Commissioners to and delivered at the Office for Taxes, for the previous Inspection of the Commissioners for the Affairs of Taxes, who may cause Copies thereof, or any Part thereof, to be taken, and

and who shall afterwards transmit such Duplicate to the King's Remembrancer in the Exchequer, for which last mentioned Duplicate the proper Officer shall give an Acquittance *gratis*, so as every the said respective Receiver General may be duly charged to answer their respective Collectors and Receipts; and if any Clerk to such Commissioners shall neglect or refuse to make out and deliver such Duplicates as aforesaid within the time and in manner therein directed, or shall wilfully make any false Entry, or omit any Sum or Sums in such Duplicates, every such Clerk shall forfeit and pay the Sum of One hundred Pounds, to be recovered to The King's Use, as other Penalties are recoverable by the said recited Acts.

Penalty.

III. Provided also, and be it further enacted, That, from and after the passing of this Act, it shall and may be lawful for any Receiver or Receivers of Monies granted by or charged under the said recited Acts, or either of them, or the Heirs, Executors or Administrators of such Receiver, in the Account of the Monies where-with such Receiver shall be chargeable for any Year after the Twenty fifth Day of *March* One thousand eight hundred and ten, to set *Insuper*, or charge any County, Division or Place in *England, Wales* or the Town of *Berwick upon Tweed*, for any such Monies aforesaid which shall be in Arrear or unpaid; provided that true and faithful Accounts of the said Receiver for the particular Year in respect of which the said Monies shall be in Arrear, signed by the said Receiver, together with all Tallies and Vouchers relating thereto, shall be delivered or transmitted by such Receiver, his Heirs, Executors or Administrators, into the proper Office of the Auditor of the said Accounts (according to the established and accustomed Course of transmitting the said Accounts) on or before the First Day of *Hilary* Term next after the Expiration of One Year after the End of the Year for which the Assessment of the said Rates and Duties shall be payable; but on Default of the Delivery or Transmission of such Accounts within the times and in the manner last aforesaid, the same Monies, for or in respect of which such *Insuper* or Charge might or ought to have been made, shall remain a Debt upon every such Receiver to be answered by him and his Securities, his and their Heirs, Executors or Administrators Lands, Tenements, Goods and Chattels respectively.

Receivers to set Insuper Counties in Arrear on certain Conditions.

IV. Provided also, and be it further enacted, That, from and after the passing of this Act, every *Insuper* or Charge set upon any County, Parish or Place for any such the Monies in Arrear as last aforesaid, shall be in force and have Effect against such County, Parish or Place, by Process from the Court of Exchequer, provided that the Accounts of the Receiver for the particular Year in which such Rates and Duties ought to have been paid, containing such *Insuper*, shall be sworn and declared in the Exchequer on or before the last Day of *Easter* Term next after the time herein appointed for the Delivery of the said Accounts.

Insuper in force by Process from Court of Exchequer.

V. Provided also, and be it further enacted, That nothing herein contained shall be construed to repeal or alter the Powers given to the Commissioners for the Affairs of Taxes, in and by an Act passed in the Forty fifth Year of His said Majesty's Reign, intituled *An Act to amend the several Laws relating to the Duties under the Management of the Commissioners for the Affairs of Taxes*, so far as the

Not to affect Powers given to Commissioners of Taxes for extending time for settling Insupers. 45 G. 3. c. 71.

the same relate to extending the time for settling *Insupers* by Receivers General, in the particular cases and in the manner described and authorized in and by that Act.

‘ VI. And whereas Doubts have arisen whether the Clauses and Provisions contained in the said recited Act, limiting the time for setting *Insupers* in the Accounts of the Receivers of the said Rates and Duties for the Year One thousand seven hundred and ninety eight, can be extended or applied to the Accounts of the said Receivers for the Year commencing the Twenty fifth Day of *March* One thousand eight hundred and ten, and to prior Years since the said Year One thousand seven hundred and ninety eight, and it is expedient to remove such Doubts;’ Be it therefore further enacted, That all *Insupers* and Charges set or made, or to be set or made, in or in pursuance of the Accounts of any Receiver or Receivers of the said Rates and Duties for the Year commencing the Twenty fifth Day of *March* One thousand eight hundred and ten, or for any other Year or Years previous thereto commencing as aforesaid, since the said Year One thousand seven hundred and ninety eight, which have been delivered or transmitted to the Auditor of the said Rates and Duties at any time before the passing of this Act, or which shall be delivered or transmitted within the Space of Three Calendar Months next after the passing of this Act, shall be in force and have effect to all Intents and Purposes, as if the said *Insupers* or Charges were set, and the Accounts relating thereto were declared and passed within any time or times after the Expiration of the Year of Assessment, as is or are prescribed by the said recited Acts with respect to the Assessment for the Year One thousand seven hundred and ninety eight.

*Insupers* made in pursuance of Accounts of Receivers for Year commencing March 25, 1810, or for any previous Year since 1798, and transmitted to Auditors, in force.

Collectors refusing to attend Commissioners and not answering lawful Questions.

Penalty.

VII. And be it further enacted, That if any Collector of the Duties payable under and by virtue of the said recited Acts, being duly summoned or called before them in the manner thereby directed, shall refuse to attend such respective Commissioners, or shall not answer all such lawful Questions as shall be demanded of him by such Commissioners touching the Execution of his Office as Collector, or shall refuse or neglect to produce to them the Certificate of Assessments, Accounts or Vouchers of the Receipts or Payments of the said Duties by him as such Collector, every such Collector shall forfeit and pay the Sum of Fifty Pounds, to be charged upon him in any Assessment to be made upon him under and by virtue of the said recited Acts, and to be recovered as such Assessments may be recovered over and above any Forfeiture or Disability that may be incurred by virtue of any Act or Acts for detaining Monies of the said Duties in his Hands contrary to such Act or Acts; and whenever any Monies of the said Duties shall be detained in the Hands of any Collector or Collectors, or any Penalty or Penalties imposed on any Collector or Collectors shall remain unpaid, and the same or any Part thereof cannot be recovered by or under the Warrant or Authority of the respective Commissioners, or the said Commissioners shall neglect to issue such Warrant, then such Part thereof as cannot be so recovered, which shall have arisen from the said Duties, shall be recoverable as a Debt upon Record to His Majesty, his Heirs and Successors, with all Costs and Charges attending the same; and such Part thereof which shall arise from any Penalty as aforesaid, may be recovered by Action or Information, as Penalties may be recovered by

by the said recited Acts or either of them, with full Costs of Suit; and the Sum so recovered shall be paid to the Receiver General, in Aid of the Parish or Place answerable for the same.

VIII. And be it further enacted, That no Stamp Duty shall be charged or chargeable for any Receipts given by any Receiver General of the Duties payable under and by virtue of the said recited Acts, to any Collector for Payment of Money made by virtue of the said Acts or this Act; any Statute to the contrary thereof notwithstanding.

Receipts given  
by Receiver  
General not  
chargeable with  
Duty.

IX. And whereas by the said first recited Act passed in the Thirty eighth Year of the Reign of His present Majesty, the Commissioners for putting in Execution that Act are empowered to seize and secure and to sell and dispose of the Copyhold Estates of Collectors under that Act neglecting to pay Sums of Money by them received; but no Provision is made by the said Act for the manner of Sale or Transfer of the said Copyhold Estate, or for the Admission of the Purchasers thereof; Be it therefore enacted, That the Commissioners for putting in Execution the several Acts relating to the Land Tax shall, from and after the passing of this Act, make Conveyance of all such Copyhold Estates to the respective Purchasers thereof by Deed indented between any Two or more of the said Commissioners and the said Purchasers respectively, and such Sale shall be effectual to all Intents and Purposes, in like manner as the Sale of Copyhold Estates of Bankrupts, under and by virtue of Statutes relating to Bankrupts or any of them, by Deed indented and inrolled: Provided always, that such Person or Persons to whom any such Sale of Copyhold Lands shall be made, shall, in like manner as the Purchaser of the Copyhold Estates of Bankrupts, before such time as he or they or any of them shall enter or take any Profit of the said Lands or Tenements, agree and compound with the Lords of the Manors of whom the same shall be holden, for such Fines or Incomes as heretofore hath been most usual and accustomed to be yielded or paid therefore; and that upon every such Agreement or Composition the said Lords for the time being, at the next Court to be holden at or for the said Manors, shall not only grant to the said Vendee or Vendees, upon Request, the same Copyhold or Customary Lands or Tenements, by Copy of Court Roll of the same Manors, for such Estate or Interest as to them shall be so sold, and reserving the ancient Rents, Customs and Services, but also in the same Court admit them Tenants of the same Copyhold or Customary Lands, as other Copyholders of the same Manors have been wont to be admitted, and to receive their Fealty, Suit or Service, according to the Custom of the Court of such Manor.

38 G. 3. c. 5.  
§ 119.

Manner of Sale  
or Transfer of  
Copyhold Estates  
of Collectors ne-  
glecting to pay  
Money received  
by them.

### C A P. CXLIII.

An Act to direct the Application of the Sum of Fifty thousand Pounds, and of such further Sums as may be granted for the Benefit of the Company of Undertakers of The *Grand Canal*, in *Ireland*.  
[14th July 1813.]

WHEREAS a Committee of the Honourable House of Commons, appointed to take into Consideration the Affairs of "The Grand Canal Company, and the State of Inland Navigation in *Ireland*," have reported the Expediency of recommending a Grant

‘ Grant of the Sum of One hundred and fifty thousand Pounds, *Irish* Currency, upon certain Conditions, to be applied to the Liquidation of the Debts of the said Company: And whereas in pursuance of the said Report, the Commons of the United Kingdom, in Parliament assembled, have resolved to grant to His Majesty, in the present Year, a Sum of Fifty thousand Pounds, *Irish* Currency, to be applied, upon certain Conditions for the Benefit of the Company of Undertakers of The *Grand Canal*, in *Ireland*:’ 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 at any time after the passing of this Act, by or out of such Monies as shall at any time or times remain in the Receipt of the Exchequer of *Ireland*, or of the Consolidated Fund of *Ireland* (after paying or reserving sufficient to pay all such Sum and Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the same), there shall and may be issued, by Order of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, as he or they shall think fit, from time to time, any Sum or Sums of Money not exceeding in the Whole the Sum of Fifty thousand Pounds, to the Treasurer of the said Company of Undertakers of the *Grand Canal* in *Ireland*, to be by the said Treasurer of the said Company applied in the Liquidation of the Debts of the said Company, in such manner as the Lord High Treasurer of *Ireland* for the time being, or the Commissioners for executing the said Office of Lord High Treasurer, or any Three or more of them, shall direct and approve; and also subject to and under such Directions and Provisions as are contained in this Act; and the Lord High Treasurer of *Ireland*, or the Commissioners for executing the said Office of Lord High Treasurer, or any Three or more of them for the time being, is and are hereby authorized to issue the said Sum of Fifty thousand Pounds *Irish* Currency accordingly.

‘ II. And whereas one of the Conditions upon which the said Committee of the Honourable House of Commons recommended the Advance of the said Sum of One hundred and fifty thousand Pounds, is, that the said Company should themselves advance the Sum of Fifty thousand Pounds; the Whole of both the said Sums to be applied, in similar Proportions, to the Liquidation of the Debts of the said Company;’ Be it therefore enacted, That before any Part of the said Sum of Fifty thousand Pounds, to be issued under the Authority of this Act, in the present Year, or any further Sum of Money to be granted on account of the said Sum of One hundred and fifty thousand Pounds, so recommended to be advanced as aforesaid, shall be issued or paid over to the said Company, or to their Treasurer, or any Person for their Use, the said Company shall set apart, out of any Funds, Monies or Securities, belonging to the said Company, a Sum of Money equal to One third Part of such Sum as shall from time to time be directed to be issued for the Use of the said Company; and the same shall be placed in the Bank of *Ireland*, in the Names of the Commissioners of the Treasury of *Ireland*, and of the Treasurer of the said Company; and the said Company shall apply such Sum of Money so set apart, together with

Lord Lieutenant may direct 50,000l. to be issued out of Consolidated Fund for Benefit of Grand Canal Company.

Company shall set apart, out of their Funds, a Sum equal to One third of all Sums to be advanced to them; the whole to be applied in Liquidation of their Debts.

with such Sum as shall at any time be so issued to the said Company, in the Payment or Liquidation of such Debts of the said Company, and in such manner and at such times, and in such Proportions and under such Regulations, as the said Commissioners of the Treasury, or any Three of them, shall, upon Representations to be made to them, on Behalf of the said Company, think fit from time to time, to order, direct and approve.

III. And be it further enacted, That the Book keeper, Accountant or other proper Officer of the said Company, shall, once in every Half Year ending the Twenty eighth Day of *February* and the Thirty first Day of *August* respectively, make out and prepare a full and complete Statement of the Accounts of the said Company, by way of Debtor and Creditor, for the Half Year ending on such Twenty eighth Day of *February* and Thirty first Day of *August* respectively, shewing the whole Receipts and Expenditure of the said Company on account of the said Canal, and the Charge on the said Company, in respect of all Interest payable on all Debts due from the said Company during such Half Year, together with all other Matters necessary to show the true State and Condition of all the Funds, Revenues, Expenditures and Debts of the said Company; and the said Book keeper, Accountant or other proper Officer as aforesaid, shall sign his Name at the Foot of such Account, and shall make Oath to the Truth thereof before any One Magistrate for the City of *Dublin* (which Oath any such Magistrate is hereby empowered to administer); and the said Book keeper, Accountant or other proper Officer as aforesaid, shall Ten Days at least before the Day of each Half Yearly Meeting of the said Company next after each aforesaid Twenty eighth Day of *February* and Thirty first Day of *August* respectively, cause Two written Copies of such Accounts signed by the said Book keeper, Accountant or Officer as aforesaid, and attested by the Magistrates before whom Oath shall be made of the Truth thereof as aforesaid, to be delivered, One at the Office in *Dublin* of the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, and the other at the Office in *Dublin* of the Lord High Treasurer of *Ireland*, or of the Commissioners for executing the Office of the Lord High Treasurer; and the said Book keeper, Accountant or other proper Officer as aforesaid, shall also cause printed or written Copies of every such Account to be circulated among the Proprietors of the Joint Stock of the said Company, and to be ready to be delivered to all and every such Proprietors and Proprietor as may demand the same at the Office of such Book keeper, Accountant or other Officer in *Dublin*, at any time within Ten Days before the Day of such following Half Yearly Meeting as aforesaid.

IV. And be it further enacted, That, from and after the passing of this Act, no Dividend for Payment of or from, or on account of or under Pretext of any Profits resulting from the said Canal or otherwise, to the said Company, or to the Proprietors of the Joint Stock of the said Company, shall be made or paid, or distributed to or among the said Proprietors, or any of them, except only of and from such actual clear Profits as shall arise in any Half Year after the passing of this Act to the said Company, from the Receipt of the Tolls and Duties, and other Property vested in them by Law, after paying or providing for all Expences of maintaining and keeping up

Book keeper of Company to make out Half yearly Account and send Copies to Lord Lieutenant and Treasurer; and circulate them among the Proprietors.

No Dividends made except of clear Profits after Payment of Expences, and of Annual Interest of Debt.

the said Canal, and also the Interest of all Loans and Debts contracted or to be contracted by the said Company; and that all such Expences, and all Interest of such Debt, shall be fully paid or provided for before the declaring any such Dividend by the Directors of the said Company, or the making of such Dividend by the said Company.

Company not to borrow Money on Loans without Consent of Lord Lieutenant and Treasury.

V. And be it further enacted, That, from and after the passing of this Act, it shall not be lawful for the said Company, or the Directors thereof, to borrow or take up at Interest any Money, by Loan or on Debentures, upon the Credit of the said Canal, or of the Tolls payable in respect thereof, or of the Estate of the Company therein, or on any other Security, or in any other manner howsoever, without the Consent and Approbation of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, and of the Lord High Treasurer of *Ireland*, or the Commissioners for executing the Office of Lord High Treasurer, or any Three of them for the time being, in Writing first had and obtained under his and their Hands and Seals respectively; and that any Loan made or Debentures issued without such Consent and Approbation signified as aforesaid shall be null and void; any thing in any Charter, Bye-Law or Act of Parliament, or any Law, Custom or Usage to the contrary in any wise notwithstanding.

30,000l. to be invested in Government Securities as a permanent Fund, to answer unforeseen Demands.

VI. And be it further enacted, That within Two Calendar Months after the passing of this Act, the Directors of the said Company shall invest or cause to be invested, in Funds transferrable at the Bank of *Ireland*, or in other Government Securities, the full Sum of Thirty thousand Pounds *Irisb* Currency, for the Purpose of providing for the Expences to be incurred by any unforeseen or sudden Accidents which may happen to the said Canal, or any of the Works or Embankments thereof, or by any other Contingencies which may from time to time arise, in relation to the said Canal; and that whenever any Part of the said Sum of Thirty thousand Pounds *Irisb* Currency, or of the Funds or Securities in which the same shall be invested, shall be applied in the Payment of such Expences, the Amount of the Sum so expended shall be replaced, before any Dividend upon the Capital Stock of the said Company shall be made, so that a Permanent Fund or Sum of Thirty thousand Pounds *Irisb* Currency may always remain applicable, and ready to be applied in the Payment of any such Expences, as the same may from time to time arise or be incurred.

VII. And whereas the said Company of Undertakers of The *Grand Canal* are at present possessed of or entitled unto certain Collieries and Coal Mines, with divers Lands and Hereditaments connected therewith in the *Queen's County* in *Ireland*, whereon considerable Sums of Money have been expended; and it is expedient that the said Collieries and Coal Mines, Lands and Hereditaments, should be sold and disposed of, as soon as possible, and the Produce of the same applied as hereinafter mentioned; Be it therefore enacted, That all the said Collieries and Coal Mines, Lands and Hereditaments, and every of them, shall be sold and disposed of by the said Company, as soon as a just and fair Value can be obtained for the same, and that all and every Sum and Sums of Money to be produced by the Sale thereof, after Payment of the necessary Expences attending such Sale, shall be applied by the said Company in and towards

Collieries of Company in *Queen's County* disposed of, and Produce applied in Liquidation of Company's Debts, &c.



towards the Liquidation, paying off and decreasing the Debts of the said Company, in the most effectual and advantageous manner that can be devised by the Directors of the said Company, for the time being; and that until the said Coal Mines and Collieries, Lands and Hereditaments shall be so sold and disposed of by the said Company, the clear Monies and Profits of the same, after Payment of all Expenses for working and managing the said Coal Mines and Collieries, shall be applied by the said Company in and towards the Liquidation, paying off and decreasing the Debts of the said Company from time to time, so far as the same will extend: Provided always, that in case the Tolls, Rates, Duties, and other Sum and Sums of Money and Income, which shall or may arise to the said Company from the said *Grand Canal*, shall not be sufficient to defray the Whole of the annual Expenses of maintaining and managing the said Canal, and the Payment of the Interest of the Debts of the said Company, then and in such case it shall and may be lawful for the said Company to apply so much and such Parts of the clear Income or Profits of the said Coal Mines, Collieries, Lands and Hereditaments, as may be necessary for that Purpose, towards the Payment of the said Expenses of the said Canal and the Interest of the said Debts, in Aid and so far only as the Whole of the said Tolls, Rates, Duties, Sum and Sums of Money and Income arising from the said Canal, shall not be sufficient for that Purpose; and that in such case so much of the clear Monies and Profits of the said Coal Mines, Collieries, Lands and Hereditaments, as shall remain, after providing for the Excess of the Expenses of the said Canal, in Aid of the other Funds thereof as aforesaid, shall be applied towards the Liquidation and paying off and decreasing the Debts of the said Company in manner aforesaid.

VIII. And be it further enacted, That, from and after the passing of this Act, the Book keeper, Accountant or other proper Officer of the said Company, shall from time to time keep a just and exact Account of all such Sum and Sums of Money as shall at any time after the passing of this Act be applied, either from the Produce of the Sale of the said Coal Mines, Collieries, Lands and Hereditaments, or from the Yearly Income thereof, according to the Directions of this Act, in the Payment of any Part of the Principal Debt due and owing from the said Company, at the time of the passing of this Act, and that from and immediately after the Payment and Discharge of any Part of such Principal Debt, a Sum equal to One third Part of the Amount of the Interest which was payable on such Part of the said Principal Debt as shall be so paid off and discharged, shall be retained and reserved by the said Company, and shall constitute a Sinking Fund at Compound Interest, and shall be paid and applied to the Reduction and Redemption of the remaining Debt of the said Company, until the Whole of the said Debt shall be fully paid off and discharged.

IX. And be it further enacted, That if any Director, Treasurer, Accountant, Book keeper or other Officer of the said Company of Undertakers of The *Grand Canal*, or any Proprietor of the Joint Stock of the said Company, shall refuse or wilfully neglect to do any matter or thing required to be done, or to observe and comply with any Direction or Regulation required to be observed by him or them under this Act, or shall do any thing contrary to the Directions of this Act, whereby the Intent and Purpose of this Act, and of the

Account kept of Debt paid off by Sale, &c. of Collieries, and One-third of Interest applied as a Sinking Fund to pay off remaining Debt.

Directors, &c. neglecting to obey Act.

Penalty.

Provisions therein contained, shall be frustrated or rendered ineffective, or the Operation of this Act shall be delayed or prevented, every such Director, Treasurer, Accountant or other Officer of the said Company, and every Proprietor of such Joint Stock, so wilfully neglecting or refusing to act, or so acting contrary to this Act, shall forfeit the Sum of One hundred Pounds, to be recovered by any Person who will sue for the same in any of His Majesty's Courts of Record in *Dublin*, by Action of Debt, Bill, Plaint or Information, in which no Essoin, Protection or Wager of Law, nor more than One Imparance shall be allowed; and after Judgment for such Penalty against any Director, Treasurer, Accountant, Book keeper or other Officer of the said Company, such Director, Treasurer, Accountant, Book keeper or other Officer shall forfeit and lose such his Place or Office, and shall be *ipso facto* deprived of the same; and shall be, and is hereby declared to be incapacitated from holding or exercising the same, or of being again elected thereto; any Election, Appointment, Charter, Law, Statute or Usage notwithstanding.

## C A P. CXLIV.

An Act to amend an Act of the Parliament of *Ireland* of the Fortieth Year of His present Majesty, for promoting Inland Navigation in *Ireland*. [14th July 1813.]

40 G. 3. (1.)  
c. 51.

§ 31.

WHEREAS by an Act passed in the Parliament of *Ireland* in the Fortieth Year of His present Majesty's Reign, intitled *An Act for granting to His Majesty the Sum of Five hundred thousand Pounds for promoting Inland Navigation in Ireland, and for the other Purposes therein mentioned, and for authorizing the raising of the said Sum by Loan*; it was, among other things, enacted, That the Sum of Five hundred thousand Pounds should be, and the same was thereby granted to and vested in His Majesty, to be applied to the general System of Inland Navigation in *Ireland*, and particularly to the opening a Communication between *Dublin* and the River *Shannon*, and to the rendering the *Shannon* navigable from *Lough Allen* to the Sea, the said Sum to be raised in manner directed by the said recited Act; and it is highly expedient for carrying into Effect the Purposes of the said Act, that so much of the said Sum of Five hundred thousand Pounds as has not been appropriated or supplied to the Purposes of the said Act, and as may be sufficient for the Purpose, should be applied in purchasing the Interest of the *Limerick* Navigation Company in the Navigation and Works now vested in and belonging to the said Company; 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 for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, to direct the Lord High Treasurer of *Ireland* or the Commissioners for executing the said Office, to raise and borrow under any of the Powers given by the said recited Act, such Sum and Sums of Money as may be requisite for the Purchase of all the Interest of the said Company in the said Navigation, and to pay and apply such Sum accordingly in such Purchase according to such Orders as the Lord

Lord Lieutenant may direct Treasury to raise Money for Purchase of Interests of *Limerick* Navigation Company, which shall be transferred to Inland Navigation Directors.

Lieut.

Lieutenant or other Chief Governor or Governors of *Ireland* for the time being shall issue for that Purpose, and that immediately upon such Purchase being completed, all Right and Interest of the said Company in the said Navigation shall be transferred, and conveyed to and vested in the Directors of all Works relating to Inland Navigation in *Ireland* for the time being, appointed under and by virtue of the said Act; and the said Navigation, and all Tolls and Funds, and all Lands, Tenements and Hereditaments belonging to the same, shall be and become and remain vested in the said Directors, in like manner as in and by the said recited Act is directed with respect to Navigations carried on and executed by means of Public Grants, and with all such Powers and Authorities for carrying and managing the said Navigation as are now vested in the said *Limerick* Navigation Company, and as by the said recited Act are given to the said Directors with respect to any Navigations by the said Act vested in them, subject nevertheless to the Approbation of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, and of the Lords Commissioners of the Treasury in such cases as in the said Act are mentioned and specified.

‘ II. And whereas Difficulties have arisen and may from time to time arise in bringing and defending Actions, and in carrying on Prosecutions with respect to Matters entrusted to the said Directors of all Works relating to Inland Navigation in *Ireland*, under the said recited Act of the Fortieth Year of His Majesty’s Reign, or any other Act, inasmuch as by Law the said Directors must at present in all cases sue and be sued by their several and distinct Names and Descriptions;’ Be it therefore enacted, That, from and after the passing of this Act, all Actions and Suits to be commenced or instituted by or on Behalf of or against such Directors of all Works relating to Inland Navigations in *Ireland*, now or hereafter for the time being, shall and lawfully may be commenced and instituted and prosecuted by or against and in the Name of the Secretary for the time being of the said Directors, and that all Prosecutions to be brought or instituted by or on Behalf of the said Directors, for Fraud upon or against or for Embezzlement, Robbery or Stealing the Property of the said Directors, or for any other Offence committed against or with Intent to injure or defraud the said Directors, shall and may be lawfully brought or instituted and carried on in the Name of the Secretary for the time being of the said Directors, and any Offender or Offenders may thereupon be lawfully convicted of any such Offence, and the Death, Resignation or Removal, or other Act of such Secretary for the time being, shall not abate any such Action, Suit or Prosecution.

Prosecutions  
how brought and  
defended.

### C A P. CXLV.

An Act to amend the several Acts for regulating the Distillation of Spirits in *Ireland*. [20th July 1813.]

‘ WHEREAS it is expedient to make more effectual Provisions for the regulating the Distillation of Spirits in *Ireland*;’ 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 whenever any Distiller from Corn or

Allowance to  
Officer charging  
Grain,

Distiller with  
Duty or Excess  
of Spirits over  
Still Charge.

Grain, or from Sugar, in *Ireland*, over and above the respective Quantities of Spirits for which such Distiller is chargeable by Law, in respect of each and every Still, according to the Content thereof, and according to the Number of Charges of Singlings or Low Wines for each such Still, for any Period of Four Weeks or Twenty eight Days, shall also be charged with and shall pay the full Duty for as much more Spirits as might be produced, according to the Rates established by Law, from all Pot Ale, Wash, Low Wines or Singlings, which such Distiller shall have actually distilled within such Period of Four Weeks or Twenty eight Days, then and in such case it shall and may be lawful for the Surveyor and Guager in Charge of the Distillery of such Distiller, or other Officer of Excise making such Charge on such Distiller, to be paid and allowed, and to receive as a Recompence for the Performance of their Duty, any such Sum, being a Proportion of such Duty for such further Quantity of Spirits charged on and paid by such Distiller, as the Commissioners of Inland Excise and Taxes shall by and with the Consent of the Lord High Treasurer, or the Commissioners for executing the Office of Lord High Treasurer of *Ireland*, think proper to order and direct; and such Sum shall be paid to such Officers, or any of them, at such time, and in such manner, and in such Proportions, as the said Commissioners of Inland Excise and Taxes, by and with such Consent as aforesaid, shall from time to time order, direct and appoint.

Distiller declar-  
ing such Excess,  
charged only  
with Half Duty.

II. Provided always, and be it enacted, That if any Distiller who shall have actually distilled, within any Period of Four Weeks or Twenty eight Days, any Quantity of Spirits from Corn or Grain malted or unmalted, or from Sugar, over and above the Quantity for which such Distiller shall have been charged and chargeable by Law, according to the Content of each and every Still, and according to the Number of Charges of Singlings or Low Wines for such Still, shall from time to time have duly shewn and declared, or caused to be shewn and declared, to the Officer in Charge of the Distillery, the full Quantity of such Excess of Spirits so actually distilled within such Period of Four Weeks or Twenty eight Days, then and in such case the Officer in Charge of such Distillery shall charge such Distiller with a Duty on every Gallon of such Excess of Spirits so declared and shewn, equal to One Half only of the Duty charged on and payable for every Gallon of such Spirits with which such Distiller shall be chargeable according to the Content of such Still, and the Number of Charges of Low Wines and Singlings; and such Charge of One Half Duty on such Excess of Spirits shall be paid in such manner, and under such Rules and Regulations, as are required with relation to the full Duty on all such Spirits with which such Distiller shall be chargeable according to the Content of the Still, and the Number of Charges of Singlings or Low Wines, by any Act or Acts in force in *Ireland* relating to the Duty on such Spirits: Provided nevertheless, that in case the Quantity of such Excess of Spirits so shewn and declared, shall be less than the whole Quantity of such Excess of Spirits actually distilled by such Distiller, such Distiller shall be liable to and shall be charged with and shall pay the full Duty for the whole of such Excess, as if no Part of such Excess had been shewn or declared.

Provido.

Distillers not to  
secure Excess of

III. Provided also, and be it further enacted, That it shall not be lawful for any Distiller to secure any Part of any such Excess of Spirits

Spirits as aforesaid in any of His Majesty's Warehouses or Stores, under or by virtue of any Act or Acts in force at the time of the passing of this Act for the Warehousing of Spirits; and that all Spirits which at any time after the passing of this Act shall be secured in Warehouse without Payment of Duty shall, upon being taken out of such Warehouse for Home Consumption, be charged with and pay the full Excise Duty of Five Shillings and Six pence *British* Currency for every Gallon thereof; and that no Distiller or other Person who shall export any Spirits made or distilled from Corn or Grain in *Ireland*, which shall not have been warehoused, shall be entitled to or shall receive any Drawback whatever on the Exportation of any such Spirits, unless such Distiller or Person so exporting such Spirits shall prove to the Satisfaction of the Commissioners of Inland Excise and Taxes, upon Oath or otherwise as the said Commissioners shall direct and require, that all such Spirits so exported have actually paid the full Excise Duty of Five Shillings and Six pence for every Gallon thereof; and such Drawback on all Spirits so exported shall be paid under such other Rules and Regulations as the said Commissioners of Inland Excise and Taxes shall from time to time think fit to make relating thereto.

Spirits in King's Warehouses. Distillers to pay Duty before Removal from Warehouse; and give Proof of Payment of Duty previous to Drawback on Exportation being allowed.

IV. And, for the better securing the Use of Malt in the making of Spirits, and the Payment of the Duty on all Malt so used, be it enacted, That, from and after the passing of this Act, the Officer in Charge of the Distillery of any Distiller for the distilling of Spirits from Corn or Grain malted or unmalted shall at the End of every Period of Four Weeks or Twenty eight Days, while any Still of any such Distiller shall continue or be presumed to continue working, or shall by Law be chargeable as working, call upon such Distiller to produce and deliver, and such Distiller shall accordingly produce and deliver, or cause to be produced and delivered to such Officer, on any Day to be appointed by such Officer, after the *Monday* in the Fourth Week of each such Period of Four Weeks or Twenty eight Days, an Account of the Quantity of Malt actually mashed or brewed by such Distiller within the Period of Four Weeks or Twenty eight Days ending immediately before such *Monday*, together with Permits or Certificates for the permitting of such Quantity of Malt into the Mash Kieve of such Distiller; and if upon such Account, and the Permits and Certificates delivered therewith, it shall appear that the Quantity of Malt so actually mashed or brewed by such Distiller shall be less than after the Rate of One Barrel of Malt for every Eighteen Gallons of Spirits for which such Distiller shall have been charged and chargeable with the Duty within such Period of Four Weeks or Twenty eight Days, every such Distiller shall, for every Barrel of such Deficiency of Quantity of Malt, forfeit and pay the Sum of Nineteen Shillings and Six pence *British* Currency, and so in Proportion for any greater or less Quantity than a Barrel; and if such Distiller shall refuse or neglect to produce and deliver such Accounts or such Permit or Certificates as aforesaid, or to cause the same to be produced and delivered to such Officer, such Distiller shall for every Eighteen Gallons of Spirits for which such Distiller shall have been charged and chargeable, within such Period of Four Weeks or Twenty eight Days, forfeit and pay the Sum of Nineteen Shillings and Six pence *British* Currency; One Third Part of which said several Forfeitures shall be paid and distributed to the

Distiller to deliver Monthly Account and Permits for Malt used, if not after the Rate of One Barrel for every Eighteen Gallons of Spirits.

Penalty.

Penalty.

Officer or Officers in Charge of such Distillery, and the other Two Third Parts thereof shall, by the Collector to whom the same shall be paid, be placed to the Account of the Duties on Malt payable in *Ireland*.

Commissioners applying and re-mitting Penalties.

V. Provided always, and be it enacted, That in any case where the Commissioners of Excise may consider that the Officer ought not to receive the said One Third Part of the said Penalty of Nineteen Shillings and Six pence, it shall and may be lawful for the said Commissioners either to remit such One Third Part of the said Penalty, or to direct that the whole of the said Penalty of Nineteen Shillings and Six pence shall be placed to the said Account of the Duties on Malt payable in *Ireland*.

In what case Distiller not chargeable for Deficiency of Malt in last Month of working.

VI. Provided always, and be it enacted, That if by the Accounts and Permits to be produced by such Distiller at the End of the last Period of Four Weeks or Twenty eight Days of the whole of any time during which any Still or Stills of such Distiller shall by Law be chargeable as working, and by the Permits and Certificates to be delivered with such Accounts, as compared with the Accounts and Certificates and Permits previously delivered, it shall appear that the Quantity of Malt actually mashed or used by such Distiller during the whole of the time that the Still or Stills of such Distillers have been so chargeable by Law as working, shall be equal to or shall exceed the Rate or Proportion of One Barrel of Malt for every Eighteen Gallons of Spirits for which such Distiller shall have been charged and chargeable with Duty within the whole of such time of working, such Distiller shall not be liable to any such Penalty of Nineteen Shillings and Six pence, in respect of the Quantity of Spirits distilled, or the Quantity of Malt mashed or brewed within such last Period of Four Weeks or Twenty eight Days although the Quantity of Malt so mashed or used within such Period of Four Weeks or Twenty eight Days shall be less than the Rate or Proportion afore said; any thing herein contained to the contrary notwithstanding.

Distillers to verify Accounts of Malt.

VII. And be it further enacted, That the Distiller, by whom or on whose Behalf such Account shall be produced, shall, if thereto required by the Officer to whom the same shall be tendered, make Affidavit (or solemn Affirmation, if a Quaker) to the Truth of such Account, before the Collector of the District; and on Default or Refusal of such Distiller so to do, such Account shall not be received by such Officer; and if any Distiller shall insert in any such Account a greater Quantity of Malt, as being mashed or used or consumed by such Distiller, within the Period mentioned in such Account, than such Quantity as shall appear to have been decreased within the said Period in the Stock Account of the Malt made or received by such Distiller, every such Distiller shall, for every Barrel of such Excess of Malt, forfeit the Sum of Forty Shillings, and so in Proportion for any greater Quantity than a Barrel.

Account of Malt consumed exceeding Decrease of Stock.

Penalty.

Spirits distilled in Stills of any Size may be warehoused, without Payment of Duty, under Order of Board of Excise, with Consent of Treasury.

VIII. And be it further enacted, That, from and after the passing of this Act, it shall and may be lawful for every Distiller or Maker of Spirits from Corn or Grain, malted or unmalted, in *Ireland*, who is or shall be licensed to keep a Still of any Content whatsoever, to warehouse such Spirits, without Payment of Duty of Excise chargeable thereon, in any of His Majesty's Warehouses or Stores in any Port in *Ireland*, in which, or in the District in which such Port shall

be situated, such Still shall be licensed by the Commissioners of Inland Excise and Taxes in *Ireland*, or in any of His Majesty's Warehouses or Stores in any Town in *Ireland* at which the Office of the Collector of Excise for the Districts shall be held, and also in His Majesty's Warehouses or Stores at such other Places in *Ireland* as the said Commissioners of Inland Excise and Taxes, by and with the Consent of the Lord High Treasurer of *Ireland*, or the Commissioners for executing the said Office of Lord High Treasurer, shall direct and appoint; any thing in any Act or Acts in force in *Ireland* to the contrary in any wise notwithstanding, in like manner, and under and subject nevertheless to such Rules and Regulations, Provisions, Penalties and Forfeitures, and modes of Recovery thereof, as are provided, mentioned and contained in an Act made in the last Session of Parliament, intituled *An Act to provide for regulating the Warehousing* 52 G. 3. c. 30.  
*Spirits distilled from Corn in Ireland, for Exportation, without Payment of the Duty of Excise chargeable thereon; and to transfer the Custody of Spirits so warehoused, from the Commissioners of Customs and Port Duties in Ireland, and their Officers, to the Commissioners of Inland Excise and Taxes in Ireland, and their Officers, or in any other Act or Acts in force in Ireland at or immediately before the passing of this Act, with respect to the Warehousing of any Spirits, and to the Exportation of the same, or to the taking of the same out of Warehouse for Home Consumption; and that all such Rules, Regulations, Provisions, Penalties and Forfeitures, shall be applied and put in practice, with respect to the Warehousing of Spirits distilled from Corn or Grain, malted or unmalted, in Ireland, in Stills of any Content whatever, and to the Exportation thereof, and to the taking thereof out of Warehouse for Home Consumption, as fully and effectually, to all Intents and Purposes, as if the same had been expressly repeated and re-enacted in this Act, except only so far as such Rules and Regulations are altered or amended by this Act.*

IX. And be it further enacted, That in case at any time after the Thirtieth Day of *August* One thousand eight hundred and thirteen, the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, shall in his or their Discretion judge it to be for the Benefit of that Part of the United Kingdom called *Ireland*, to permit the Distillation within *Ireland* of Spirits from Oats, Barley or any other Corn or Grain (Wheat excepted), or from Malt, Flour or Bran, then and in such case it shall be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the time being, by Proclamation or Proclamations to be issued by and with the Advice of His Majesty's Privy Council in *Ireland*, or by Order in Council to be published from time to time in the *Dublin Gazette*, to permit and suffer all and every Person and Persons in *Ireland* (but not any particular Person or Persons), at any time or times, not less than Thirty Days from the Date of such Proclamation or Order in Council, to make Worts or Wash for Distillation, and to distill Spirits from Oats, Barley or any other Corn or Grain (Wheat excepted), or from Malt, Flour or Bran; and it shall be lawful for all and every Person and Persons, from and after the time mentioned for that Purpose in any such Proclamation or Order in Council, to make Worts or Wash for Distillation, and to distill Spirits accordingly; any thing in any Act or Acts to the contrary in any wise notwithstanding; subject nevertheless to the Regulations contained in this Act, or in  
 any

Lord Lieutenant may permit distilling from Corn at any time after 30th August 1813.

any other Act or Acts in force for regulating the Distillation of Spirits in *Ireland*.

Perjury.

X. And be it further enacted, That if any Person who shall take any Oath or make any Affirmation by this Act required to be taken or made, shall wilfully or knowingly swear or affirm falsely therein, every such Person, being duly convicted thereof, shall suffer the Pains and Penalties to which Persons guilty of wilful or corrupt Perjury are or shall be subject by any Law in force in *Ireland*; and if any Person shall corruptly procure or suborn any other Person or Persons to swear or affirm falsely in any such Oath or Affirmation, every such Person, being duly convicted of such procuring or suborning, shall, for every such Offence, incur and suffer such Penalties, Forfeitures, Pains and Disabilities as Persons convicted of Subornation of Perjury are respectively liable unto by any Law in force in *Ireland*.

Subornation of Perjury.

In case of Accidents either in Malt or Sugar Distilleries, Commissioners of Excise may make Allowances.

XI. And be it further enacted, That whenever any Distiller licensed under any Act or Acts in force in *Ireland* for the Distillation from Corn or Grain, or from Sugar shall, by any Fatality or unavoidable Accident have been prevented from distilling any Wash or Pot Ale from Corn or Grain malted or unmalted, or any Sugar Wash, within the time respectively prescribed by Law, it shall and may be lawful for the Commissioners of Inland Excise and Taxes in *Ireland*, on Proof made to their Satisfaction that the Fatality or Accident was unavoidable, and not owing to any Default or Negligence, to abate any Charge of Double Duty which may have been made on such Distiller, in respect of any such Wash, Pot Ale or Sugar Wash, not having been distilled within the time prescribed by Law for the distilling of such Wash, Pot Ale or Sugar Wash respectively; and also to make any proportionate Allowance to any Distiller in Consideration of any Loss by any Fatality or unavoidable Accident proved as aforesaid, by which any Wash, Pot Ale, Sugar Wash, Low Wines, Singlings or Spirits shall have been destroyed; and also to abate the Quantity of Spirits wherewith any Distiller shall be chargeable by Law in any Period of Four Weeks, in Consideration of any Fatality or unavoidable Accident proved as aforesaid, by which such Distiller shall have been prevented from working for any time within such Period of Four Weeks: Provided always, that every such Abatement and Allowance be first approved by the Commissioners for executing the Office of Lord High Treasurer of *Ireland*; and that no such Abatement or Allowance shall be made to any Distiller who shall have made any Insurance against Loss to be sustained by any such Fatality or Accident, without regard being had to the Amount receivable under such Insurance.

Proviso.

Penalties how levied and paid.

XII. And be it further enacted, That all Penalties and Forfeitures under this Act shall be paid and payable according to the Amount thereof in *British* Currency; and shall be raised, levied, collected, paid, sued for, recovered and applied (except where otherwise directed by this Act) in such manner, and under such Powers and Authorities, and by such ways and methods, and according to such Rules and Directions, as are appointed, directed and expressed for the recovering of any Penalties or Forfeitures in and by an Act made in *Ireland*, in the Fourteenth and Fifteenth Years of His late Majesty King Charles the Second, intituled *An Act for the settling of the Excise or new Impossi upon His Majesty, his Heirs and Successors, according to the Book of Rates therein inserted*; or in and by an Act made in the

14 & 15 Car. 2.  
(1.) Sess. 4. c. 8.  
46 G. 3. c. 106.

Forty



Forty sixth Year of His present Majesty's Reign, intituled *An Act to provide for the better Execution of the several Acts relating to the Revenues, Matters and Things under the Management of the Commissioners of Inland Excise and Taxes in Ireland*; or in and by any other Acts or Act in force in Ireland relating to the Revenue of Customs and Excise, or either of them, as fully and effectually, to all Intents and Purposes, as if the same were herein expressed and enacted; with the like remedy of Appeal to and for the Party or Parties aggrieved, as in and by the said recited Act of the Fourteenth and Fifteenth Years of His late Majesty King Charles the Second, or any other Act or Acts as aforesaid, is provided. Appeal.

## C A P. CXLVI.

An Act to amend an Act made in the Forty fifth Year of His present Majesty, intituled *An Act to amend the Laws for improving and keeping in Repair the Post Roads in Ireland; and for rendering the Conveyance of Letters by His Majesty's Post Office more secure and expeditious.* [20th July 1813.]

WHEREAS by an Act passed in the Forty fifth Year of the 45 G. 3. c. 43.  
 Reign of His present Majesty, intituled *An Act to amend the Laws for improving and keeping in Repair the Post Roads in Ireland, and for rendering the Conveyance of Letters by His Majesty's Post Office more secure and expeditious*, it was, among other things, enacted, that it shall and may be lawful for any Grand Jury who shall present any new Road under said Act, to present to be raised off each Barony or Half Barony through which such Road shall pass, or off the County at large, if it shall appear to them expedient, the whole of the Sums necessary for laying out, forming, gravelling and fencing every Part of any such new Line of Road, and making Footpaths, and for repairing, gravelling, widening, fencing or turning the Backs of existing Fences to the Road, or making Footpaths to any Part of any old Road that shall be retained: And § 12.  
 whereas by the said recited Act it is also enacted, That it shall and may be lawful for the Owner or Occupier of any Ground, or of any House or Building into which any old Road is to be widened, or through which any new Road is to be made under the Authority of the said Act, or any Person having an Interest in any such Ground, House or Building, to traverse the Presentment for making or widening such Road for Damages; and that the Jury which shall try such Traversal shall a new Verdict give, whether any and what Damages shall accrue by the Presentment to the Traversor or Traversors; and that it shall be lawful for such Grand Jury to present such Sum or Sums of Money so found for Damages, or any Part thereof, to be raised off the Barony, Half Barony, County of a City or County of a Town, in which such Ground, or House, or other Building shall be situate: And whereas such Damages so found form a component Part of the general Cost and Expence of such Road, and it is fit and reasonable that the like Regulations should be enacted respecting the Presentment of such Damages as the other Expences attending the making of such new Road, or widening and altering such old Road; 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 § 19.

Grand Juries empowered to present for Damages accruing to Owners and Occupiers of Land, &c. to be raised off Counties at Large.

present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the Grand Jury of any County in *Ireland*, at any Assizes to be held after the passing of this Act, to present all such Sum or Sums of Money as has or have been awarded for such Damages and has or have not been levied, and all such Sum or Sums of Money as shall hereafter be awarded for such Damages, to any Traveller or Travellers to be raised off the County at large, or partly off the Baronies and partly off the Counties at large, at such Periods, and in such Portions, as they shall deem proper: Provided always, that the entire Sum so presented shall be directed to be raised in such Portions as shall cause the whole of the same to be levied within Six Years at most from the time when such Money shall have been presented.

Clerk of Crown to transmit Copies of Presentments to Lord Lieutenant, &c. who shall order Money to be advanced out of Consolidated Fund to Treasurer of County.

II. And be it further enacted, That whenever the Grand Jury of any County shall have so presented any Sum or Sums of Money for Damages as aforesaid, to be raised by yearly Portions, to be levied within Six Years, the Clerk of the Crown shall forthwith transmit a Copy of such their Presentment to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, or to his or their Chief Secretary, and it shall and may be lawful for such Lord Lieutenant or other Chief Governor or Governors of *Ireland*, at his or their Discretion, to order the Commissioners for executing the Office of Lord High Treasurer of *Ireland*, to advance and pay out of the Consolidated Fund of *Ireland* any Sum or Sums of Money so presented for Damages as aforesaid, to the Treasurer of such County, to be by him paid to the several Persons to whom such Damages have been awarded; and all such Money so advanced and paid to such Treasurer, shall be accounted for by him in like manner as any other Monies received by the said Treasurer for the Use of the County, and all Securities given by such Treasurer, or on his Behalf, shall extend equally to such Money as to any other Money in his Hands.

Treasurer of County to pay Money received by him to Collector of Revenues.

III. And be it further enacted, That every Treasurer of a County, receiving any such Money or Monies, shall pay to the Collector of His Majesty's Revenues in the District wherein the County Town is situate, all such Sums as he shall receive from time to time from the Baronial or other Collectors, by virtue of the Presentments on account of which such Money shall have been advanced, until he shall have discharged the whole Sum so advanced, but without Interest for the same.

Former Act.

IV. And be it further enacted, That the Provisions of the said recited Act, in case of Failure of Repayment of any Monies which may be advanced under the said Act, be deemed and taken to extend to all cases of Failure of Repayment of any Sums of Money which may be advanced under this Act.

Treasurer may suspend issuing Warrant for levying Money presented.

V. And be it further enacted, That in case any Sum or Sums of Money heretofore awarded for Damages shall have been presented to be raised off any Barony or Half Barony in any County, and that the same hath not been levied, it shall and may be lawful for the Treasurer of such County to suspend issuing his Warrant for the levying of such Money, and it shall be lawful for the Grand Jury of such County, if they think fit, at the next ensuing Assizes to present the same, to be raised according to the Provisions hereinbefore contained.

VI. And

VI. And be it further enacted, That when any Grand Jury in *Ireland*, or the General Overseer or Overseers appointed by them, shall have entered into a Contract or Contracts with any Person or Persons for forming, gravelling, widening and fencing any such Line of Road, and for making Footpaths, or turning the Backs of the existing Fences to any Part of such old Roads as shall be retained, or for building, repairing, widening or altering Bridges, Arches, Pipes, Gullets or Walls thereon, or for lowering any Hills, or filling up, hollow or reducing any Ascent, and shall have taken sufficient Security from such Contractor or Contractors, and Two Sureties by Bond and Warrant to confers Judgment thereupon, for the due Execution of such Works, according to the Plans, Estimates and Specifications annexed to such Contract, and lodged with the Treasurer of the County, such Security for such Contractor shall be approved of in manner by the said recited Act directed; and in such case it shall not be necessary for such Overseer or Overseers, or their Deputy or Deputies, to give Security to such Treasurer; any thing in the said recited Act to the contrary notwithstanding: Provided always, that the Treasurer shall not pay any Money to such Contractor or Contractors, except upon an Order of Two or more of the General Overseers appointed by the Grand Jury, to which shall be annexed an Affidavit of such Contractor or Contractors, which shall state, that the Part of the Work for which Payment is demanded, has been faithfully, honestly and effectually executed according to the Terms of the Contracts; and also specifying the Sum already received, and the Sum already expended, and likewise any Affidavit of a Deputy Overseer, appointed by the General Overseer or Overseers, stating that he has carefully examined such Work, and that it has been faithfully, honestly and effectually executed, in pursuance of the Terms of the Contract, according to the best of his Judgment and Belief.

If Contracts entered into by Grand Jury, &c. be lodged with Treasurer, Security to him not necessary.

Treasurer not to pay Money to Contractor, except upon Order of General Overseers, &c.

### C A P. CXLVII.

An Act for the better securing the Excise Duties on Spirits in *Great Britain*, and for rectifying a Mistake in an Act of the last Session of Parliament for granting certain Duties on Worts or Wash made from Sugar. [20th July 1813.]

FOR better preventing Frauds which Distillers may commit by privately removing and concealing Wash, Low Wines or Spirits, and in order that the Officer may obtain true Gauges of the same: Be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the Tenth Day of *October* One thousand eight hundred and thirteen, no such Distiller or Distillers in that Part of *Great Britain* called *England*, shall, at one and the same time, have, keep or continue in any Cask by him, her or them made use of as or for a Low Wine Cask, any Low Wines or Spirits extracted from different Stills, unless such Stills shall have been charged with Wash at one and the same time, and also worked off at one and the same time, nor shall any such Distiller or Distillers have, keep or continue in any Cask by him, her or them made use of as or for a Low Wine Cask, any Low Wines or Spirits extracted from different Charges of one and the same Still; and if any such Distiller

Regulations as to keeping of Low Wines or Spirits of different Stills or of different Charges.

Distiller or Distillers shall at one and the same time have, keep or continue in any Cask by him, her or them made use of as or for a Low Wine Cask, any Low Wines or Spirits extracted from different Stills, unless such Stills shall have been charged with Wash at one and the same time, and also worked off at one and the same time, or shall have, keep or continue in any Cask by him, her or them made use of as or for a Low Wine Cask, any Low Wines or Spirits extracted from different Charges of one and the same Wash Still, then and in each and every such case such Distiller or Distillers so offending, shall, for every such Offence, forfeit the Sum of Two hundred Pounds.

Penalty.

Casks provided for Spirits produced from each Charge of Wash Still.

II. And be it further enacted, That all and every such Distiller or Distillers shall, and he, she and they is and are hereby required to provide a proper Spirit Cask sufficient to contain the whole Quantity of Spirits which shall be extracted from the Low Wines produced from each Charge of his, her or their Wash Still or Wash Stills, and shall, and he, she and they is and are hereby required to run and convey into such Spirit Cask immediately from the Low Wine Still or Low Wine Stills all such Spirits so extracted; and when and so soon as the whole Quantity of such Spirits extracted from the Low Wines produced from each Charge of such Wash Still or Wash Stills shall be collected in such Cask from the Low Wine Still or Low Wine Stills, the proper Officer of Excise shall take a true Gauge, and try the Strength of such Spirits, and cast and compute the same at the Strength of One to Ten over Hydrometer Proof, and keep an exact Account thereof; and such Officer of Excise shall take such Gauge and try the Strength immediately on being required by any such Distiller or Distillers so to do; and all and every such Distiller and Distillers shall, and he, she and they is and are hereby required to keep and continue in such Cask all such Spirits extracted from the Low Wines produced from each Charge of such Wash Still or Wash Stills until the proper Surveyor, Supervisor or Officer of Excise shall have gauged the same and ascertained the Strength thereof; and no such Distiller or Distillers shall at one and the same time have, keep or continue in any Cask by him, her or them made use of as or for such Spirit Cask as aforesaid, any Spirits extracted from Low Wines produced from different Wash Stills, unless such Wash Stills shall have been wholly charged with Wash at one and the same time, and worked off at one and the same time, nor any Spirits extracted from different Low Wine Stills, unless such Low Wine Stills shall have been charged at one and the same time, and also worked off at one and the same time with Low Wines produced from Wash of one and the same Charge of the Wash Still or Wash Stills; and if any such Distiller or Distillers shall neglect or refuse to provide a proper Spirit Cask sufficient to contain the whole Quantity of Spirits which shall be extracted from the Low Wines produced from each Charge of his, her or their Wash Still or Wash Stills, or shall neglect or refuse to run or convey into such Cask all or any Part of the Spirits extracted from the Low Wines produced from each Charge of such Wash Still or Wash Stills as aforesaid, in manner aforesaid, or shall neglect or refuse to keep or continue in such Cask all or any Part of the Spirits extracted from the Low Wines produced from any Charge of any such Wash Still or Wash Stills until the proper Surveyor, Supervisor or Officer of Excise shall have gauged the same and ascertained the Strength

Strength of Spirits tried.

Regulations for keeping Spirit Cask.

Strength thereof, or shall at one and the same time have, keep or continue in any Cask by him, her or them made use of as or for such Spirit Cask as aforesaid, any Spirits extracted from Low Wines produced from different Wash Stills, unless such Wash Still shall have been charged with Wash at one and the same time, and also worked off at one and the same time, or shall at one and the same time have, keep or continue in any Cask by him, her or them made use of as or for such Spirit Cask as aforesaid, any Spirits produced from Low Wines extracted from different Charges of his, her or their Wash Still or Wash Stills, unless such Wash Stills shall have been charged with Wash at one and the same time, and also worked off at one and the same time, or shall have, keep or continue in any Cask by him, her or them made use of as or for such Spirit Cask as aforesaid, any Spirits extracted from different Low Wine Stills, unless such Low Wine Stills shall have been charged at one and the same time with Low Wines produced from Wash of one and the same Charge of the Wash Still or Wash Stills, then and in each and every such case the Distiller or Distillers so offending, shall, for every such Offence, forfeit and lose the Sum of Two hundred Pounds: Provided always nevertheless, that no Distiller or Distillers shall be subject or liable to any such Penalty for not keeping or continuing in such Cask all such Spirits or Feints extracted from any Charge of any Still, until the proper Surveyor, Supervisor or Officer of Excise shall have gauged the same and tried the Strength thereof, if such Distiller shall have given to the Officer of Excise, under whose Survey he, she or they shall be, Notice in Writing Two Hours at the least of the time when such Spirits or Feints are to be pumped up or removed from such Cask, and if the proper Surveyor, Supervisor or Officer shall not at the time specified in such Notice, or within One Hour after, attend to gauge and ascertain the Strength of such Spirits or Feints in such Cask; any thing hereinbefore contained to the contrary in any wise notwithstanding.

Penalty.  
Provido.

III. And be it further enacted, That all and every such Distiller and Distillers shall, and he, she and they is and are hereby also required to provide a proper Feint Cask sufficient to contain the whole Quantity of Feints which shall be produced from each Charge of his, her or their Low Wine Still or Stills, and shall, and he, she and they is and are hereby required immediately to run and convey all the Feints which shall be produced from each Charge of his, her or their Low Wine Still or Stills directly from such Still or Stills into the said Feint Cask, and when and so soon as the whole Quantity of such Feints shall be collected in such Feint Cask from such Charge of such Low Wine Still or Stills, the proper Officer of Excise shall take a true Gauge, and try the Strength of such Feints, and cast and compute the same at the Strength of One to Ten over Hydrometer Proof, and keep an exact Account thereof; and all and every such Distiller and Distillers shall, and he, she and they is and are hereby required to keep and continue in such Feint Cask all the Feints produced from each Charge of his, her or their Low Wine Still or Stills, until the proper Surveyor, Supervisor or Officer of Excise shall have gauged the same and ascertained the Strength thereof, and shall distil all such Feints with and amongst the Waste of the next Charge, or next Charge but one, of his, her or their Wash Still or Wash Stills; and if any such Distiller or Distillers shall

Cask provided to contain whole Quantity of Feints produced from each Charge.

Strength of Feints tried.

Regulations for keeping such Feint Cask.

neglect or refuse to provide a proper Feint Cask sufficient to contain the whole Quantity of Feints which shall be produced from each Charge of his, her or their Low Wine Still or Stills, or shall neglect or refuse immediately to run or convey into such Feint Cask all or any Part of the Feints which shall be produced from any Charge of his, her or their Low Wine Still or Stills as aforesaid, in manner aforesaid, or shall neglect or refuse to keep or continue in such Feint Cask all or any Part of the Feints produced from any Charge of his, her or their Low Wine Still or Stills until the proper Surveyor, Supervisor or Officer of Excise shall have gauged the same and ascertained the Strength thereof, or shall neglect or refuse to distil all or any Part of such Feints with or amongst the Wash of the next Charge, or next Charge but one, of his, her or their Wash Still or Wash Stills, then and in each and every such case the Distiller or Distillers so offending, shall, for each and every such Offence, forfeit and lose the Sum of Two hundred Pounds.

Penalty.

Pumps for emptying Spirit and Feint Cask secured.

IV. And be it further enacted, That all and every such Distiller and Distillers shall, and he, she and they is and are hereby required to permit the proper Officer and Officers of Excise to secure the Pump or Pumps for emptying the Spirit and Feint Cask respectively, so as to prevent such Pump or Pumps from being used in the Absence of the Officer, and also to secure the Lid or Head of the Low Wine, Spirit and Feint Casks respectively; and the proper Officer and Officers of Excise is and are hereby authorized and empowered so as to secure such Lids and Pumps respectively in such manner as to such Officer and Officers shall seem meet for the respective Purposes aforesaid.

Obstructing Officers.

V. And be it further enacted, That if any such Distiller or Distillers or any Workman or Servant belonging to him, her or them, shall obstruct, assault, resist, oppose, molest or hinder any Officer or Officers of Excise in the due Execution of this Act, or of any of the Powers or Authorities hereby given or granted to such Officer or Officers, every such Distiller or Distillers shall, for every such Offence, forfeit and lose the Sum of Two Hundred Pounds.

Penalty.

VI. And whereas according to Law as the same now stands, Distillers in that Part of Great Britain called England, making, distilling, extracting or producing any Quantity of Spirits exceeding the Proportion of Twenty one Gallons for every One hundred Gallons of Wort or Wash brewed or made from Sugar, are bound to pay Duty for all such Spirits as aforesaid exceeding the Proportion aforesaid, at and after the Rate of Seven Shillings and Elevenpence Halfpenny for every Gallon of such Excess, computed at the Strength of One to Ten over Hydrometers Proof: And whereas it may sometimes happen that from the Influence of the Atmosphere on the Process of Distillation for the Conversion of such Wash into Spirits a less Proportion of such Spirits may be produced, and it is therefore expedient to make such Provision as is hereinafter mentioned; Be it therefore enacted, That, from and after the said Tenth Day of October One thousand eight hundred and thirteen, an Allowance shall be made for such Deficiencies, and the Duty paid only on the Balance or Total of Excesses above the Deficiencies of Produce to be ascertained yearly in the Month of July, or when such Distiller shall cease working: Provided always nevertheless, that nothing hereinbefore contained shall extend or be deemed

In what case Allowance for Deficiency of Spirits.

Proviso.

or construed to extend to any Excess or Excesses of Spirits made, distilled, extracted or produced by any Distiller or Distillers who shall be discovered to have become Bankrupt, or to be in declining or decayed circumstances so as to induce the Commissioners of Excise to deem it expedient to have recourse to the Prerogative Process of Exigent or *Diem clausit extremum*, or to a summary Prosecution for the Recovery of the Duties for or in respect of any such Excess or Excesses of Spirits as last aforesaid; any thing hereinbefore contained to the contrary in any wise notwithstanding.

VII. And whereas by a Clause in an Act made in the last Session of Parliament, among other things, and for granting certain Duties on Worts or Wash made from Sugar during the Prohibition of Distillation from Corn or Grain in *Great Britain*, it was enacted, that that Act should commence and take Effect as to all such Matters and Things therein contained, in respect whereof no special Commencement is thereby directed or provided, from and immediately after the Eighth Day of *February* One-thousand eight hundred and twelve, and should remain and continue in force during the Term that the Distillation of Spirits from Corn or Grain should be and remain in force: And whereas it was by the said Act intended that the same should remain and continue in force during the Term that the Prohibition of the Distillation of Spirits from Corn or Grain should be and remain in force, but proper Words for that Purpose were by Mistake left out of the said Clause, and it is therefore expedient to rectify the said Mistake; Be it therefore enacted, That the said Act shall be deemed and taken to have commenced and taken Effect as to all such Matters and Things therein contained, in respect whereof no special Commencement is thereby directed or provided, from and immediately after the Eighth Day of *February* One thousand eight hundred and twelve, and to have been in force, and shall remain and continue in force during the Term that the Prohibition of the Distillation of Spirits from Corn or Grain shall be and remain in force; any thing in the said recited Act to the contrary in any wise notwithstanding.

52 G. 3. c. 3. § 39.

Explained.

VIII. And be it further enacted, That all Fines, Penalties and Forfeitures imposed by this Act, shall be sued for, recovered, levied or mitigated by such means, ways 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*; 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.

Penalties how levied.

## C A P. CXLVIII.

An Act to provide for the more effectually preventing the Illicit Distillation of Spirits in *Ireland*. [20th July 1813.]

WHEREAS it is necessary, in order to restrain illegal Distillation in *Ireland*, that the Provisions contained in several Acts of Parliament, for the imposing of Fines in respect of unlicensed Stills, or Parts of Stills, or Wash, Pot Ale, Low Wines or Singlings, being used or found in any Townland in *Ireland*, should be revived and amended; Be it therefore enacted by the

53 Geo. III.

U u

King's

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 the Clauses and Provisions relating to the imposing or levying all or any such Fine or Fines which are contained in an Act made in the Forty seventh Year of His present Majesty, intituled *An Act to amend an Act made in the Forty sixth Year of His present Majesty, for the regulating and securing the Collection of the Duties on Spirits distilled in Ireland*; and in an Act made in the Forty eighth Year of His present Majesty's Reign, intituled *An Act to amend the several Acts for the regulating and securing the Collection of the Duty on Spirits distilled in Ireland*; and in an Act made in the Forty ninth Year of His present Majesty's Reign, intituled *An Act to amend the several Acts for the regulating and securing the Collection of the Duties on Spirits distilled in Ireland; and for the regulating the Sale of such Liquors by Retail*; and which Clauses and Provisions, by an Act made in the Fifty second Year of His present Majesty's Reign, intituled *An Act to amend several Acts relating to the Revenue of Inland Excise and Taxes in Ireland*, were repealed, shall be and the same are hereby revived, and shall be in full force, from and after the passing of this Act, except so far as the same relate to the fining of any Parish, Manor or Lordship, or any other District than a Townland; and except so far as the said recited Acts are altered or amended by this Act; and that it shall from thenceforth be lawful for the Court or Judge at any Assizes or Presenting Term for any County, County of a City or County of a Town in Ireland, or at any Presenting Term in the County, or County of the City of Dublin, to fine any Townland, for or in respect of any unlicensed Still, or Part of a Still, or any Appendage to a Still, or any Worm, or any Utensil for distilling Spirits, or any Wash, Pot Ale, Low Wines or Singlings, which at any time, after the passing of this Act, shall be used or found within any Townland in Ireland, in such Sum or Sums of Money or Penalty, as is by this Act directed to be inflicted for or in respect of the same respectively; under and subject nevertheless to the Regulations relating to such Fines in the said recited Acts, or any of them, and in this Act mentioned and contained; any Repeal, Clause, Matter or Thing, in the said recited Act of the Fifty second Year aforesaid to the contrary in any wise notwithstanding.

No Information proceeded on, to impose Fines, till Notice by Excise.

II. Provided always, and be it enacted, That no Information for any Offence, for the Purpose of proceeding to impose any such Fine, shall be received or proceeded upon, by or before any Justice of Peace, in any County, City, County of a City or County of a Town in Ireland, until Notice shall have been given under the Hands of the Commissioners of Inland Excise and Taxes in Ireland, or any Three of them, by Publication in the *Dublin Gazette*, that it has been deemed expedient by the Lord High Treasurer of Ireland, or the Commissioners for executing the Office of Lord High Treasurer, or any Three of them, upon the Representation of the said Commissioners of Inland Excise and Taxes, that the Provisions of the said Acts, and this Act, should be put in force within such County, County of a City or County of a Town respectively, from such time and for such Period as shall be mentioned in such Notice.

Fines on Townlands, &c.

III. And be it further enacted, That when under and by virtue of the said recited Acts of the Forty seventh, Forty eighth and Forty ninth



ninth Years aforesaid, and of this Act, the Court at any Assizes or Presenting Term, at any time after the passing of this Act, shall be required to fine any Townland, on account of any unlicensed Still, or Part of a Still, or Appendage to a Still, or any Worm or other Utenfil for distilling Spirits, or any Wash, Pot Ale, Low Wines or Singlings, having been found or used in any Place within such Townland, such Court shall fine such Townland in the Sum of Twenty five Pounds only, and no more; and in case, at any ensuing Assizes or Presenting Term, the Court shall be required on any of the said Accounts to fine any Townland which shall have been so fined in the said Sum of Twenty five Pounds on any of the said Accounts, at any preceding Assizes or Presenting Term, such Court shall find such Townland in such Second Instance, in the Sum of Forty Pounds; and in case at any ensuing Assizes or Presenting Term, the Court shall be required on any of the said Accounts to fine any Townland which shall have been so fined in the Sum of Forty Pounds on any of the said Accounts, at any preceding Assizes or Presenting Term, such Court shall in every such Instance fine such Townland in the Sum of Sixty Pounds; and all such Fines of Twenty five Pounds, Forty Pounds and Sixty Pounds respectively, shall be levied and recovered, and distributed, in such manner and Proportion, and by such ways and means, and under all such Rules and Regulations, as by the said recited Acts of the Forty seventh, Forty eighth and Forty ninth Years, or any of them, is directed, with respect to any Fine to be levied on any Parish, Townland, Manor or Lordship, under the said Acts or any of them; except only so far as the said Acts are altered or amended by this Act.

First Offence.

Second Offence.

Third Offence.

47 G. 3. Sess. 2.  
c. 17.  
48 G. 3. c. 81.  
49 G. 3. c. 99.

IV. Provided always, and be it enacted, That whenever any Offender shall have been tried and convicted for any Offence, declared to be a Misdemeanor by any Act or Acts for the regulating or securing the Collection of the Duties on Spirits made in *Ireland*, by the Evidence of any Inhabitant (not being an Officer of Excise) of the Townland in which the Place shall be situate where such Offence was committed, upon an Information given by such Inhabitant, before any other Information for the said Offence shall have been given to a Magistrate, the Court before whom any such Conviction shall be had at any Assizes or Presenting Term shall fine such Townland on account of such Offence, in One Half of the Sums respectively hereinbefore mentioned; that is to say, in the Sum of Twelve Pounds Ten Shillings in the first Instance, the Sum of Twenty Pounds in a Second Instance, and the Sum of Thirty Pounds in a Third or any subsequent Instance; to be recovered and levied in like manner as is directed with respect to the other Fines hereinbefore mentioned; and the Whole of such mitigated Fine or Sum shall be paid by the Treasurer of the County, County of a City or County of a Town, to the Inhabitant who shall have to give such Information, and by whose Evidence such Conviction shall have been had; and in case such Inhabitant shall state in such Information, that he is willing to give up all Right in such Fine, if imposed, it shall not be lawful for such Court in such case to fine any such Townland on account of such Offence, in any Sum of Money whatever; any thing in this Act, or in any of the said recited Acts, or in any other Act or Acts to the contrary notwithstanding.

Where Offender convicted of Misdemeanor, Fine on Parish, &c. mitigated to One Half payable to Informer; and if he gives up his Right, no Fine imposed.

In Market  
Towns, Fines  
laid on Distillery  
and adjoining  
Houses.

V. And be it further enacted, That in all cases where, under the said recited Acts and this Act, the Court at any Assizes or Presenting Term shall fine any Townland being situated in Part or in the Whole within any Market Town or City in Ireland, in any Sum of Money, on account of any unlicensed Still, or any Worm or other Utensil for distilling Spirits, or any Wash, Pot Ale, Low Wines or Singlings having been found or used in any Place within such Townland, situate within any such Market Town or City; such Court shall direct the Treasurer of the County, County of a City or County of a Town, within which such Townland shall be situate, to issue his Warrant for levying the Whole of such Fine or Sum of Money off the Distillery House or Place in which such unlicensed Still, or Part of a Still, or Appendage to a Still, or any Worm or other Utensil for distilling Spirits, or any Wash, Pot Ale, Low Wines or Singlings, were found or used, and off such Houses and Places as shall be adjoining to such Distillery House or Place; and such Fine or Sum shall in such case be apportioned upon and raised off such Distillery House or Place, and such Houses or Places adjoining, exclusive of any other Part of such Townland; in such manner and according to such Rules and Regulations, as are contained in the said recited Act of the Forty seventh Year aforesaid: Provided always, that if no such Apportionment or no sufficient Apportionment shall be made on such Distillery House or Place, and the Houses or Places so adjoining, such Fine shall be levied off the whole Townland, as is directed by the said Act of the Forty seventh Year, in cases where no Apportionment is made under the said recited Act.

47 G. 3. Sess. 2.  
c. 17. § 24.

When illegal  
Still found on  
Borders of Two  
or more Town-  
lands, Fine im-  
posed on each.

VI. Provided always, and be it enacted, That whenever it shall appear upon the Trial of any Information that any unlicensed Still, or Part of a Still, or Appendage to a Still, or any Worm or other Utensil for the distilling of Spirits, or any Wash, Pot Ale, Low Wines or Singlings, shall have been found or used in any House or Place on the Borders of any Two or more Townlands, so that it cannot be ascertained within what Townland such House or Place is wholly or in Part situate, it shall be lawful for the Court to fine each and every or any Townland on the Border or Borders of any of which such House or Place or any Part thereof, shall be situate, in a Penalty or Fine of Twenty five Pounds, and to direct the Treasurer or Treasurers of the County, County of a City or County of a Town, in which the said Townlands or any of them shall be situate, to issue his Warrant for levying the said Fine or Sum of Twenty five Pounds upon each and every such Townland, to be apportioned upon and raised off each such Townland, in such manner and according to such Rules and Regulations, as are mentioned and contained in the said recited Acts or any of them.

Officer collud-  
ing to fine  
Townlands,

VII. And be it further enacted, That if any Person who is or shall be an Officer appointed by or acting under the Commissioners of Inland Excise and Taxes, or the Commissioners of Customs and Port Duties in Ireland, shall be guilty of any Collusion or fraudulent Practice whatever, whereby any Townland shall become liable to the Payment of any Fine under the said recited Acts and this Act, every Person so offending, shall forfeit the Sum of Five hundred Pounds, instead of the Penalty of Fifty Pounds for such Offence, mentioned and provided in the said recited Act of the Forty ninth Year aforesaid, to be recovered and applied in such manner as is directed by

Penalty.  
49 G. 3. c. 99.  
55.

the said recited Act, with respect to such Penalty or Sum of Fifty Pounds: Provided always, that it shall and may be lawful for any Person liable to pay any Grand Jury Cefs in such Townland, to appear at the Assizes or Presenting Term at which the Fine on such Townland is to be imposed in consequence of such Collusion or fraudulent Practice, or at any subsequent Assizes, and there to prove the Fact of such Collusion or fraudulent Practice; and the Court at such Assizes or Presenting Term, shall try, and such Court is hereby required to try the Fact or Facts so offered to be proved, in the same manner as the Traverse to any Presentment of a Grand Jury is or ought to be tried; and if the Fact of such Collusion or fraudulent Practice shall be proved, such Court shall give Judgment for the Recovery of the said Sum of Five hundred Pounds against the Person so found guilty of the same, and shall sentence the Person so guilty to the Payment of the said Sum of Five hundred Pounds to the Person so proceeding for the Recovery of the same; and it shall be lawful for the said Court to order and direct that the Person so found guilty shall be forthwith committed to the Common Goal or House of Correction of the County, County of a City or County of a Town, and there imprisoned for the Space of Twelve Months, unless such Fine or Penalty shall be sooner paid or satisfied; and such Person so found guilty shall be, and he is hereby rendered and declared incapable of holding any Office or Employment whatsoever, Civil or Military, under His Majesty, his Heirs and Successors, or any Authority derived under His Majesty, his Heirs or Successors.

How Inhabitants may proceed to recover such Fine.

Imprisonment.

Placing unlicensed Stills, for guilty of any fraudulent Practice, whereby Townlands, &c. liable to Fines.

Penalty.

A Plea to grant Relief on Proof of Collusion.

VIII. And be it further enacted, That if any Person whatever other than a Revenue Officer shall leave in, or bring into, or place in any House or Place whatever within any Townland, any unlicensed Still or any Part of a Still, or Appendage to a Still, or any Worm or other Utenfil for distilling of Spirits, or any Wash, Pot Ale, Low Wines or Singlings, or shall be guilty of any other Collusion or fraudulent Practice whatever, whereby any Townland, or any House or Houses, or any Person or Persons in such Townland, shall or may be or become liable to the Payment of any Fine or Penalty whatever, under the said recited Acts and this Act, every Person so offending shall forfeit the Sum of Five hundred Pounds, to be recovered and applied in such manner as is directed by the said recited Act of the Forty ninth Year with respect to any Penalty or Sum of Fifty Pounds under the said recited Act: Provided always, that it shall and may be lawful for any Person liable to pay any Grand Jury Cefs in such Townland to appear at the Assize or Presenting Term at which the Fine or Penalty on such Townland, House or Person is to be imposed in consequence of such Collusion or fraudulent Practice, or at any subsequent Assizes, and there to prove the Fact of such Collusion or fraudulent Practice, and the Court at such Assizes or Presenting Term shall try, and such Court is hereby required to try the Fact or Facts so offered to be proved in the same manner as the Traverse to any Presentment of a Grand Jury is or ought to be tried; and if the Fact of such Collusion or fraudulent Practice shall be proved, such Court shall give Judgment for the Recovery of the said Sum of Five hundred Pounds against the Person so found guilty of the same, and shall sentence the Person so guilty to the Payment of the said Sum of Five hundred Pounds to the Person so proceeding for the Recovery of the same; and it shall be lawful for

Imprisonment.

Information for  
Fines how tried.

for the said Court to order and direct that the Person so found guilty shall be forthwith committed to the Common Gaol or House of Correction of the County, County of a City or County of a Town, and there imprisoned for the Space of Twelve Calendar Months, unless there such Fine or Penalty shall be sooner paid or satisfied.

IX. And be it further enacted, That all Informations for any Offence, on account whereof any Townland shall be liable to the Payment of any Fine under the said recited Acts and this Act, which shall be delivered to the Clerk of The Crown, according to the Directions of the said recited Act of the Forty seventh Year, by any Justice or Justices before whom such Informations shall have been laid and given respectively, shall by such Clerk of The Crown be laid before the Court on the First Day of every Assizes or Presenting Term; and all such Informations, and all Issues and Traverses concerning such Informations, and for the Recovery of such Penalties, or for the proving or controverting of any Matter or Thing relating to such Informations or Penalties, shall be proceeded upon, and shall be fully tried and determined by the Court at such Assizes, before any Issue in any Civil Cause or private Action shall be proceeded upon, tried or determined, at any such Assizes or Presenting Term respectively.

### C A P. CXLIX.

An Act for the further Support and Maintenance of Stipendiary Curates. [20th July 1813.]

12 Ann. Stat. 2.  
c. 12.

36 G. 3. c. 82.

Canon, Jac. L.  
1603.

WHEREAS an Act passed in the Twelfth Year of the Reign of Her Majesty, Queen *Anne*, intituled *An Act for the better Maintenance of Curates within the Church of England, and for preventing any Ecclesiastical Persons from buying the next Avoidances of any Church Preferment*: And whereas another Act passed in the Thirty sixth Year of the Reign of His present Majesty, intituled *An Act for the further Support and Maintenance of Curates within the Church of England, and for making certain Regulations respecting the Appointment of such Curates, and the Admission of Persons to Cures augmented by Queen Anne's Bounty, with respect to the Avoidance of other Benefices*: And whereas by a Canon or Ecclesiastical Constitution made in the Year of our Lord One thousand six hundred and three, in the Reign of His Majesty King *James* the First, it was provided, that no Curate should be permitted to serve in any Place without Examination and Admission of the Bishop of the Diocese, or Ordinary of the Place having Episcopal Jurisdiction, in Writing under his Hand and Seal, having respect to the Greatness of the Cure and Meetness of the Party; and that the said Curates and Ministers, if they remove from one Diocese to another, should not by any means be admitted to serve without Testimony of the Bishop of the Diocese, or Ordinary of the Places as aforesaid whence they came, in Writing, of their Honesty, Ability and Conformity to the Ecclesiastical Laws of the Church of England; and that none should serve more than One Church or Chapel upon One Day, except that Chapel be a Member of the Parish Church, or united thereto, and unless the said Church or Chapel where such Minister should serve in Two Places be not able in the Judgment of the Bishop or Ordinary as aforesaid to maintain a Curate:

‘ And whereas the Provisions of the said Acts and Canon, and of the  
 ‘ Laws in force with respect to Curates, have been found insufficient,  
 ‘ and it is necessary that more effectual Provision should be made to  
 ‘ secure a competent Maintenance to Curates, in order to insure the  
 ‘ due and regular Performance of the Service of the Church of  
 ‘ *England* in Parishes where Incumbents do not reside;’ 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 Incumbent of or Person holding any  
 Benefice, Donative, Perpetual Curacy or Parochial Chapelry, who  
 does not or shall not duly reside thereon (unless such Person shall do  
 the Duty of the same, having a legal Exemption from Residence, or  
 Licence to reside out of the same, or to reside out of the Parsonage  
 House or Vicarage House, or other usual House of Residence be-  
 longing to the same), and who shall, for the Period of Six Months  
 after the passing of this Act, or after his Induction or Appointment,  
 or after the Death or Removal of a former Curate, neglect to nomi-  
 nate a proper Curate, to be licensed by the Bishop of the Diocese or  
 Ordinary of the Place having Episcopal Jurisdictions, to serve his  
 Church or Chapel, or who shall, for the Period of Three Months  
 after the Death or Resignation of any Curate who has served his  
 Church or Chapel, neglect to notify to the Bishop of the Diocese  
 such Death or Resignation, shall forfeit and lose all the Benefit of  
 any Dispensation or Exemption from Residence, or Licence for Non-  
 residence, and be subject and liable to such and the like Penalties for  
 Non-residence as if he had no such Dispensation, Exemption from  
 Residence, or License for Non-residence; and in every case in which  
 no Curate shall be nominated to the Bishop or Ordinary for the Pur-  
 pose of being licensed by him within such Period as aforesaid, the  
 Bishop or Ordinary is hereby authorized to appoint and license a  
 proper Curate, with such Salary as is by this Act allowed and directed,  
 to serve the Church or Chapel of the Parish or Place in respect of  
 which such Neglect or Default shall have occurred

Non-resident  
 Incumbents neg-  
 lecting to appoint  
 Curates.

Penalty.

II. And be it further enacted, That it shall be lawful for the  
 Bishop or Ordinary, and he is hereby required, subject to the several  
 Provisions hereinafter contained, to appoint to every Curate so  
 licensed, such sufficient Salary as is allowed and specified in this Act;  
 and every Instrument of Licence to be granted as aforesaid shall con-  
 tain and specify the Amount of the Salary allowed by the Bishop  
 or Ordinary to the Curate, and such Licence, or any Copy of the  
 Registry thereof made according to the Provisions of this Act, duly  
 proved to be a true Copy, shall be Evidence of the Amount of the  
 Salary so appointed to any Curate in all Courts of Law or Equity;  
 and in case any Difference shall arise between any Rector or Vicar, or  
 Person holding any Benefice, Donative, Perpetual Curacy or Parochial  
 Chapelry, and his Curate, touching such Stipend or Allowance,  
 or the Payment thereof, or of the Arrears thereof, the Bishop or  
 Ordinary, on Complaint to him made, may and shall summarily hear  
 and determine the same; and in case of wilful Neglect or Refusal  
 to pay such Stipend, Salary or Allowance, or the Arrears thereof,  
 shall be and is hereby empowered to sequester the Profits of the Be-  
 nefice, Donative, Perpetual Curacy or Parochial Chapelry, for and  
 until Payment of such Stipend or Allowance, or the Arrears thereof;

Bishops to ap-  
 point Salaries to  
 Curates.

and no such Licence shall be valid, or exempt any Incumbent, or Person holding any Benefice, Donative, Perpetual Curacy or Parochial Chapelry, from any of the Penalties of this Act, or of any other Act or Acts of Parliament, unless it shall contain and specify the Amount of the Stipend, Salary or Allowance to be paid to the Curate.

Curates may be directed to reside in Parsonage House in case of Non-residence of Incumbents.

III. And be it further enacted, That it shall be lawful for the Bishop or Ordinary who shall grant any Licence to any Curate to serve any Church or Chapel, where the Rector or Vicar, or Person holding any Donative, Perpetual Curacy or Parochial Chapelry, is not resident for Four Months in each Year, to allot, if he shall think fit, for the Residence of such Curate, the Parsonage or Vicarage House, or usual House of Residence of the Person holding the Donative, Perpetual Curacy or Parochial Chapelry, if there shall be any such House of Residence in the Parish or Place, and the Offices and Gardens thereto belonging, or any Part or Parts thereof, during the time of such Curate's serving the Cure, or during the Non-residence of such Rector or Vicar or Person; and the Licence shall specify whether the Curate is required to reside within the Parish or Place or not; and if the Curate is permitted by the Bishop or Ordinary granting the Licence to reside out of the Parish or Place, the Grounds upon which the Curate is so permitted to reside out of the Parish or Place, shall be specified in the said Licence; and the Distance of the Residence of such Curate from any Church or Chapel which he shall be licensed to serve shall not exceed Five Statute Miles, except in cases of Necessity to be approved by the Bishop or Ordinary, and specified in the Licence.

Bishop may direct Curate to give up Possession of Parsonage.

IV. Provided also, and be it further enacted, That the Bishop or Ordinary shall have Power at any time, upon Three Months Notice, by Writing under his Hand and Seal, to direct the said Curate to deliver up the said Parsonage or Vicarage House or usual House of Residence, and the Offices and Gardens thereto belonging, or any of them; and the said Curate shall peaceably deliver up the Possession of the said Premises allotted to him; and in case he shall refuse to do so, he shall forfeit or lose to the Rector or Vicar, all such Parts of his Stipend as shall then be unpaid or shall thereafter become due, and also the Sum of Fifty Pounds to such Rector or Vicar, and which shall be recoverable in an Action of Debt.

Penalty.

Rector, &c. not to dispossess Curate of House, without Order of Bishop, who may sequester Profits of Living until Possession given.

V. Provided always, and be it further enacted, That it shall not be lawful for the Rector or Vicar, or other Person holding any Donative, Perpetual Curacy or Parochial Chapelry, in any case in which the Parsonage or Vicarage or usual House of Residence of the Person holding any Donative, Perpetual Curacy or Parochial Chapelry, shall have been assigned to the Curate as a Residence, to dispossess such Curate, or take Possession thereof, without and until the Permission of the Bishop or Ordinary shall have been given in Writing for that Purpose; and it shall be lawful for the Bishop or Ordinary assigning any such House or Residence to any Curate, to sequester the Profits of the Benefice, Donative, Perpetual Curacy or Parochial Chapelry to which the House shall belong, in any case in which Possession shall not be given up to the Curate, pursuant to any such Assignment of Residence, and until such Possession shall be given: Provided also, that if any such Curate shall refuse to give up Possession of any such House, upon the Order of the Bishop or Ordinary for that Purpose, it shall be lawful for the Rector, Vicar or Person holding

holding the Donative, Perpetual Curacy or Parochial Chapelry, to which any such House shall belong, to apply to any Justice of the Peace or Magistrate of the County, Riding, Province, City or Place, for a Warrant, for the taking Possession thereof; and the Justice of the Peace to whom any such Order of the Bishop or Ordinary for such Possession is produced shall and he is hereby required thereupon to give a Warrant for such Possession, and Possession may thereupon be taken of such House under such Warrant at any time in the Day time, by entering the same by Force, if necessary, without any other Proceeding, by Ejectment or otherwise; any thing in any Act or Acts of Parliament or Law or Laws to the contrary notwithstanding.

Licences and Revocations filed in Registry of Diocese.

VI. And be it further enacted, That every Bishop or Ordinary who shall grant or revoke any Licence to any Curate under this Act shall and he is hereby required to cause a Copy of such Licence or Revocation to be entered in the Registry of the Diocese within which the Benefice, Donative, Perpetual Curacy or Parochial Chapelry, in respect whereof any such Licence shall be granted or Revocation made shall be locally situate, and an Alphabetical List of such Licences and Revocations shall be made out by the Registrar of each Diocese, and entered in a Book, and kept for the Inspection of all Persons, except as hereinafter excepted; and a Copy of every such Licence and Revocation, with respect to any Benefice, Donative, Perpetual Curacy or Parochial Chapelry, shall be transmitted by the said Registrar to the Churchwardens or Chapelwardens of the Parish, Township or Place to which the same relates, within One Month after the Grant of such Licence or Revocation thereof, to be by them deposited in the Parish Chest, except as hereinafter excepted; and every Registrar who shall or refuse or neglect or omit to make any such Entry, or to transmit any such Copy, shall forfeit for every such Offence or Neglect the Sum of Five Pounds, to be recovered as any Penalty or Forfeiture may be recovered under the said recited Acts: Provided always, that such Registrar shall for every such Copy to be transmitted to such Churchwardens or Chapelwardens as aforesaid be entitled to a Fee of Ten Shillings and no more, and that such Fee shall be allowed in the Accounts of such Churchwardens or Chapelwardens, and no other Fee shall be taken by such Registrar in respect of the Execution of this Act.

Penalty.

Fee.

Salaries payable to Curates to be in Proportion to Value of Benefices.

VII. And be it further enacted, That in every case in which any Person shall be instituted or inducted to any Benefice, or nominated or appointed to any Donative, Perpetual Curacy or Parochial Chapelry, after the passing of this Act, and shall not duly reside thereon, unless such Person shall do the Duty of the same, having a legal Exemption from Residence, or a Licence to reside out of the same, or to reside out of the Parsonage or Vicarage or other usual House of Residence belonging to the same, the Bishop or Ordinary shall appoint for the Curate licensed to serve such Benefice, Donative, Perpetual Curacy or Parochial Chapelry of such Non-resident Incumbent or Person as aforesaid in his Absence, such Salary, according to the Gross Annual Value of the Benefice, Donative, Perpetual Curacy or Parochial Chapelry, as is hereinafter next mentioned; that is to say, such Salary shall in no case be less than Eighty Pounds *per Annum*, or than the said Annual Value of the Benefice, Donative, Perpetual Curacy or Parochial Chapelry, if the said Value shall not amount to Eighty Pounds *per Annum*; and such Salary shall not be less

less than One hundred Pounds *per Annum*, or than the whole Value as aforesaid, if the said Value shall not amount to One hundred Pounds *per Annum*, in any Parish or Place where the Population, according to the Returns then last made in pursuance of any Act or Acts of Parliament, shall amount to or exceed Three hundred Persons; and such Salary shall not be less than One hundred and twenty Pounds *per Annum*, or the whole Value as aforesaid, if the said Value shall not amount to One hundred and twenty Pounds *per Annum* in any Parish or Place where the Population shall appear as aforesaid to amount to or exceed Five hundred Persons; and such Salary shall not be less than One hundred and fifty Pounds *per Annum* or than the whole Value as aforesaid, if the said Value shall not amount to One hundred and fifty Pounds *per Annum* in any Parish or Place where the Population shall appear as aforesaid to amount to or exceed One thousand Persons: Provided always, that the annual Value of all Benefices, Donatives, Perpetual Curacies or Parochial Chapelries, of which the said Value, estimated as is herein provided, does not amount to One hundred and fifty Pounds *per Annum*, shall be estimated from the Returns made by the Bishops of the several Dioceses to the Governors of Queen Anne's Bounty, in pursuance of an Address of the House of Lords, or from any future Returns which may be made by the said Bishops to the said Governors, respecting Parishes or Places omitted in the said Returns, or respecting Parishes or Places in the actual Income of which it shall be made appear to the said Bishops that any considerable Variation has taken place, either by Augmentations made by the said Governors or otherwise.

Provido.

Where Curate's Salary is of Value of Benefice, it shall be liable to Charges affecting it.

How Salary adjusted where Curate is permitted to serve in an adjoining Parish;

VIII. Provided always, and be it further enacted, That in every case in which such Bishop or Ordinary shall appoint for such Curate a Salary equal to the whole annual Value of such Benefice, Donative, Perpetual Curacy or Parochial Chapelry, such Salary shall be subject to all such and the like Charges and Outgoings as may legally affect the Value of such Benefice, Donative, Perpetual Curacy or Parochial Chapelry, and to any Loss or Diminution which may lessen such Value without the wilful Default or Neglect of such Incumbent.

IX. Provided always, That in every case when the Bishop or Ordinary shall find it necessary or expedient, for the obtaining any proper Performance of Duties Ecclesiastical, to licence the Incumbent or Perpetual Curate of any Parish or Place to serve as Curate of any adjoining or other Parish or Place, it shall be lawful for such Bishop or Ordinary to appoint for such Incumbent or Perpetual Curate so licensed, a Salary less by a Sum not exceeding Thirty Pounds *per Annum* than the Salary which in the several cases hereinbefore mentioned the Bishop or Ordinary is respectively required by this Act to appoint; and in every case where the Bishop or Ordinary shall find it necessary or expedient as aforesaid to licence one and the same Person to serve as Curate for Two adjoining or other Parishes or Places, it shall be lawful for such Bishop or Ordinary to direct that during such time as such Curate shall serve such Two Churches or Chapels, the Salary to be received by him for serving each of the said Churches or Chapels shall be less by a Sum not exceeding Thirty Pounds *per Annum* than the Salary which in the several cases hereinbefore mentioned the Bishop or Ordinary is required by this Act to appoint: Provided always, that no such Salary

Provido.



Salary shall in any case be less than Fifty Pounds *per Annum*, or than the whole Value of the said Benefice, Donative, Perpetual Curacy or Parochial Chapelry, which such Incumbent, Perpetual Curate or Curate, shall be licensed to serve if the said Value shall not amount to Fifty Pounds *per Annum*: Provided always, that no Incumbent, Perpetual Curate or Curate shall be licensed to serve as Curate in any Church or Chapel which is distant more than Five Statute Miles from any Church or Chapel already served by such Incumbent, Perpetual Curate or Curate, except in cases of Necessity to be approved by the Bishop or Ordinary, and specified in the Licence.

X. Provided always, and be it further enacted, That in every case in which it shall be made out to the Satisfaction of the Bishop or Ordinary of any Diocese, that any Incumbent or Person holding any Benefice, Donative, Perpetual Curacy or Parochial Chapelry, is or has become non-resident or incapable of performing the Duties thereof from Age, Sickness or other unavoidable Cause, and that from these or from any other special and peculiar circumstances of the case great Hardship and Inconvenience would arise if the full Amount of Salary specified in this Act should be allowed to the Curate, then, and in such case, it shall be lawful for such Bishop or Ordinary to assign to the Curate any such Salary, less than the said full Amount, as shall, under all the circumstances, appear to him just and reasonable: Provided always, that in the Licence granted in every such case it shall be stated that for special Reasons the Bishop or Ordinary hath not thought proper to assign to the Curate the full Amount of Salary allowed or required to be assigned by this Act: Provided also, that such special Reasons shall be entered fully and at large in a separate Book, to be kept for that Purpose, and to be deposited in the Registry of the Diocese, which Book shall not be open to Inspection unless with the Leave of the Bishop or Ordinary, or by other proper Authority.

Smaller Salaries allowed to Curates in certain cases.

Provido.

XI. Provided also, and be it further enacted, That it shall be lawful for the Bishop or Ordinary, upon the Application of any Rector, Vicar or Person holding any Donative, Perpetual Curacy or Parochial Chapelry, the whole Profit or Income of which shall have been allotted to the Curate, to allow such Rector, Vicar or other Person, to deduct and retain therefrom in any or each Year so much Money, not exceeding in any case One fourth Part of such Profits or Income or of the Salary assigned to the Curate, as shall have been actually laid out and expended during the Year, in the Repair of the Parsonage, Vicarage or other House of Residence, in respect of which such Rector, Vicar or Person aforesaid, or his Executors, Administrators or Assigns, would be liable for Diliapidations to the Successor; and it shall also be lawful for the Bishop or Ordinary in like manner to allow any Rector, Vicar or other Person aforesaid, having or holding any Benefice, Donative, Perpetual Curacy or Parochial Chapelry, the Profits or Income of which shall not exceed One hundred and fifty Pounds *per Annum*, to deduct and retain from the Salary allotted to the Curate, in each or any Year, so much Money as shall have been actually laid out and expended in such Repairs as aforesaid, over and above the Amount of the Surplus remaining of such Profits or Income, after Payment of the Salary allotted to the Curate, so as that

Bishop to allow Rector, &c. to deduct from Curates Salary for Repairs to a limited Amount in certain cases.

the

the Sum so deducted, after laying out such Surplus shall not in any Year exceed One fourth Part of the Salary allotted to the Curate.

Curate to pay  
Taxes of Parson-  
age House in  
certain cases.

XII. Provided always, and be it further enacted, That in every case where the Bishop or Ordinary shall appoint, for the Curate licensed to serve any Benefice, Donative, Perpetual Curacy or Parochial Chapelry, a Salary not less than the whole gross annual Value of the same, and shall, in addition to such Salary, direct that such Curate shall reside in the Parsonage or Vicarage House, or usual House of Residence of the Person holding such Benefice, Donative, Perpetual Curacy or Parochial Chapelry; such Curate shall be liable, during his serving such Cure, to the same Taxes and Parochial Taxes in respect of such House, and the Appendages thereof, of which he may so be in Occupation, as if he had been instituted or inducted to the said Benefice, or nominated or appointed to the said Donative, Perpetual Curacy or Parochial Chapelry.

Where Benefice  
exceeds 400l. an  
Allowance may  
be made to  
Curate of 100l.  
per Annum, &c.

XIII. Provided always, and be it further enacted, That in any Parish or Place where it shall appear to the Satisfaction of the Bishop that the actual annual Income of such Benefice, Donative, Perpetual Curacy or Parochial Chapelry, clear of all Deductions, exceeds the Sum of Four hundred Pounds *per Annum*, it shall be lawful for the Bishop to assign to the Curate of such Parish or Place, being resident within the same, and serving no other Cure, a Salary or Allowance of One hundred Pounds *per Annum*, notwithstanding the Population of such Parish or Place may not appear as aforesaid to amount to Three hundred Persons; and that in any Parish or Place where the actual annual Income shall appear as aforesaid, and where the Population shall also appear as aforesaid to amount to or exceed Five hundred Persons, it shall be lawful for the Bishop to assign to the Curate of such Parish or Place, being resident within the same, and serving no other Cure, any larger Stipend or Allowance, so that the same shall not exceed by more than Fifty Pounds *per Annum* the Amount of the Stipend or Allowance hereinbefore respectively required to be assigned to such Curate.

Not to empower  
Bishops to assign  
to Curates of  
Persons holding  
Benefices before  
passing of Act  
or of certain  
other Persons,  
any greater Stipend than be-  
fore.

XIV. Provided always, and be it further enacted, That nothing in this Act contained shall authorize or empower any Bishop or Ordinary to assign to any Curate of any Person holding any Benefice, Donative or Perpetual Curacy or Parochial Chapelry, before the passing of this Act, upon any such Benefice, Donative, Perpetual Curacy or Parochial Chapelry, held by such Person before the passing of this Act, and on which such Person is or shall be Non-resident by Licence or Exemption, or to the Curate of any Person holding any Benefice, Donative, Perpetual Curacy or Parochial Chapelry, who shall duly reside thereupon, or who shall himself do the Duty of the same, having a legal Exemption from Residence or a Licence to reside out of the same, or to reside out of the Parsonage or Vicarage House, or other usual House of Residence belonging to the same, any greater Stipend or Allowance for the Curate who shall be licensed to serve such Benefice, Donative, Perpetual Curacy or Parochial Chapelry, than is allowed by the Statutes in force before the passing of this Act, unless with the Consent of the Person holding such Benefice, Donative, Perpetual Curacy or Parochial Chapelry.

Agreements  
contrary to

XV. And be it further enacted, That all Agreements and Contracts made or to be made between Persons holding Benefices, Do-  
natives,

natives, Perpetual Curacies or Parochial Chapelries; and their Curates, in Fraud or Derogation of the Provisions of this Act, or of the said Act of the Thirty sixth Year of His present Majesty's Reign, and all Agreements and Contracts whereby any Curate shall undertake, or in any manner bind himself to accept or be content with any Stipend or Salary less than that which shall be stated to be allowed in any Licence of such Curate, shall be void to all Intents and Purposes in the Law whatsoever, and shall not be set up, pleaded or given in Evidence in any Court of Law or Equity; and notwithstanding the Payment and Acceptance, in pursuance of any such Contract or Agreement, of any Sum less than the Sum specified in the Licence of such Curate, or any Receipt, Discharge or Acquittance, that may be given in cases of such Payment and Acceptance, the Curate or his personal Representatives, shall be and remain entitled to the full Amount of what shall remain unpaid of the Stipend, Salary or Allowance specified in his Licence; and the Payment of what shall so remain unpaid shall, together with Treble Costs of recovering the same, be enforced by the Bishop or Ordinary by Sequestration of the Profits of the Benefice, Donative, Perpetual Curacy or Parochial Chapelry; provided that no Sequestration shall, by virtue of this Act, affect the Profits of any Benefice, Donative, Perpetual Curacy or Parochial Chapelry, beyond the time during which the Benefice, Donative, Perpetual Curacy or Parochial Chapelry, shall be held by the Person liable to make the Payments in respect of which such Profits shall be sequestered.

XVI. And be it further enacted, That no Licence or Licences shall, after the passing of this Act, be granted, except in the case hereinafter mentioned, to any Curate, to serve more than Two Churches in One Day, or Two Chapels, or One Church and One Chapel, in One Day; and every Licence granted to any Curate for any greater Number of Churches or Chapels shall be wholly void and of no Effect, both as to the Curate to whom the same shall be granted, and as to the Incumbent or Person to whom the Benefice, Donative, Perpetual Curacy or Chapelry † shall belong: Provided always, that where it shall appear to the Bishop or Ordinary of any Diocese, in any case in which a Curate shall before the passing of this Act have served more than Two Churches or Chapels, or in which, from the nature of the circumstances or the local Situation of the Churches or Chapels, and the Value of the Benefices, Donatives, Perpetual Curacies or Parochial Chapelries to which they belong, and in which the Provision of this Act cannot be enforced as to the assigning Salaries of Curates until the Death or Removal of the Persons holding such Benefices, Donatives, Perpetual Curacies or Parochial Chapelries, that the granting Licences to any Curate to serve Three Churches or Chapels not being distant from each other more than Four measured Miles, is necessary to the obtaining any proper Performance of Ecclesiastical Duties in any Parish or Place, it shall be lawful for the Bishop in such cases to grant Licences to any Curate to serve Three such Churches or Chapels: Provided always, that in every such case the Reasons for granting such Licences shall be stated by the Bishop in each of such Licences, and such Licence shall not be valid or effectual unless the Reasons for granting the same are inserted therein as afore-

Act and to  
36 G. 3. c. 83.  
void.

Treble Costs.

No Licence granted to serve more than Two Churches in one Day.

† See.

Proviso.

aforesaid: And provided also, that the Residence of such Curate shall be so placed, that it shall not be necessary for him to travel more than Fifteen Miles in One Day for the Performance of the Duties to be performed at such Three Churches or Chapels.

Curate serving in different Places in Absence of Incumbent interchangeably, what Salary to receive.

† *Sic.*

XVII. Provided also, and be it enacted, That if any Incumbent of Two or more Benefices, Donatives, Perpetual Curacies or Parochial Curacies† or Parochial Chapelries, residing *bona fide* in the different Proportions of each and every Year, upon the same respectively, shall employ a Curate from time to time upon such of the same from which he shall be absent during his own actual Residence upon the other thereof, the Stipend or Salary to be assigned to such Curate shall not exceed a due Proportion of an Annual Salary calculated according to the Provisions of this Act, the Bishop having regard to the Greatness of the Cure, and to the Proportion of the Year during which such Curate shall have done or shall be engaged to do the Duty of such Benefices, Donatives, Perpetual Curacies or Parochial Chapelries respectively.

Incumbent applying for Licence for Non-residence to state what Salary he proposes to give to Curate.

XVIII. And be it further enacted, That every Person holding any Benefice, Donative, Perpetual Curacy or Parochial Chapelry, who shall apply to the Bishop or Ordinary of the Diocese for any Licence for Non-residence, shall state in his Application what Salary he proposes to give to his Curate, and whether the Curate proposes to reside or not to reside in the Parish, and if resident, whether in the Parsonage House, and if not resident in the Parish at what Distance therefrom, and at what Place, and whether such Curate serves any other Parish as Curate or Incumbent, or has any other Ecclesiastical Preferment, or holds any Donative, Perpetual Curacy or Parochial Chapelry, or officiates in any other Church or Chapel, and shall also state the gross Value of the Benefice, Donative, Perpetual Curacy or Parochial Chapelry, in respect of which he applies for a Licence not to reside, and it shall not be lawful for the Bishop or Ordinary to grant any such Licence, unless the Application shall contain a Statement of the several Particulars aforesaid; and all such Applications and Specifications shall be kept and filed by the Registrar of the Diocese in a separate Book, and preserved from public Inspection, and disclosed only in like manner and in such cases as is before directed, as to the Copies of Licences wherein the full Salary allowed or required by this Act is not granted to Curates.

Statement of Particulars necessary to be given by Persons applying for a Licence for Non-residence.

XIX. And be it further enacted, That every Bishop or Ordinary to whom any Application shall be made for any Licence, for a Curate to serve for any Person exempt by Law from Residence in his Benefice, Donative, Perpetual Curacy or Parochial Chapelry, shall, before he shall grant such Licence, require of the Person for whom such Curate is to serve, a Statement of all the Particulars by this Act required to be stated by any Person applying for a Licence for Non-residence as aforesaid; and it shall not be lawful for any Bishop or Ordinary to grant a Licence to any Curate to serve the Church or Chapel of any Person exempt from Residence, until a Statement of all such Particulars as aforesaid shall have been delivered to him, and such Statement shall be kept and filed, and preserved from public Inspection, and disclosed only in like manner and in such cases as is before directed, as to Statements of Persons applying for Licences for Non-residence.

XX. And

XX. And be it enacted, That this Act and the several Provisions herein contained shall extend, and be deemed and construed to extend, to all Benefices, Donatives, Perpetual Curacies and Parochial Chapelries, exempt as well as not exempt, and to all Peculiars; and it shall moreover be lawful for the Churchwardens or Chapelwardens of any Parish or Chapelry which shall be exempt or subject to any peculiar Jurisdiction, from time to time to make Complaint to the Bishop in whose Diocese such Parish or Chapelry shall be locally situate, of Non-residence of the Incumbent and the Want of due Provision for the Cure, and, Proof being made of the Fact in such manner as the Bishop or Ordinary shall direct, to the Satisfaction of the Bishop or Ordinary, who is hereby empowered to administer an Oath, if he shall think fit to require Proof upon Oath (and which Oath any Justice of the Peace shall also have power to administer), it shall be lawful for the said Bishop or Ordinary to proceed to the Augmentation of the Curate's Salary, or Appointment of a Curate, under the Provisions of this Act.

Act to extend to Benefices exempt as well as not exempt.

XXI. And be it further enacted, That where any Benefice, Donative, Perpetual Curacy or Parochial Chapelry, shall be locally situate within the Limits of more than one Province or Diocese, or between the Limits of Two or more Dioceses, or any of them, the Archbishop or Bishop to the Cathedral Church of whose Province or Diocese the Parish Church thereof shall be nearest in local Situation, shall have, use and exercise all the Authorities and Powers which such Archbishop or Bishop could or would have used or exercised if the same Benefice, Donative, Perpetual Curacy or Parochial Chapelry had been locally situate within his Province or Diocese; provided that the Peculiars belonging to any Archbishop or Bishop, though locally situate in another Diocese, shall continue subject to such Archbishop or Bishop to whom they belong, as well for the Purposes of this Act as for all other Purposes of Ecclesiastical Jurisdiction in the Law whatsoever.

Ecclesiastical Jurisdiction ascertained.

XXII. And be it further enacted, That no Commission issued by any Bishop or Ordinary to any Commissary or Commissaries appointed to administer the Oaths required to be taken by any Curate for the Purpose of any Licence, shall be subject to any Stamp Duty; any thing contained in any Act or Acts of Parliament to the contrary notwithstanding.

Commission to administer Oaths not subject to Stamp Duty.

XXIII. Provided also, and be it further enacted, That it shall be lawful for every Archbishop and Bishop, summarily and without formal Process or Suit, to use and exercise all and every the Powers and Authorities, and to do all and every the Acts, Matters and Things which such Archbishop or Bishop can use, exercise or do, under or by virtue of the Provisions of this Act.

Proviso for Powers of Archbishops and Bishops.

XXIV. And be it further enacted, That nothing in this Act contained shall be deemed or taken to vary, prejudice, alter or affect, otherwise than is expressly provided, any Power, Right or Authority already vested in any Bishop, touching Curates or their Salaries, under or by virtue of any Statute, Canon, Usage or otherwise howsoever.

Proviso for Powers of Bishops.

XXV. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to repeal or alter the Provisions contained in any Act of Parliament, or any other Provision of Law for the due Celebration of Divine Service in any Church

Proviso for Celebration of Divine Service.

Church or Chapel; or for the Discharge of any other Duty of any Rector or Vicar, or Person holding any Donative, Perpetual Curacy or Parochial Chapelry, by himself or his Curate.

Ireland.

XXVI. And be it further enacted, That nothing in this Act contained shall extend to that Part of the United Kingdom called *Ireland*.

### C A P. CL.

An Act for the more speedy and effectual Examination and Audit of the Accounts of Military Expenditure in *Spain* and *Portugal*; for removing Delays in passing the Public Accounts; and for making New Arrangements for conducting the Business of the Audit Office. [20th July 1813.]

Auditor General of Accounts of Public Expenditure in Spain and Portugal appointed.

WHEREAS it is expedient that Provision should be made for the more effectual Examination in *Spain* and *Portugal* of the Accounts of Public Expenditure in those Kingdoms; be it therefore enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for His Majesty, by Warrant or Commission under His Royal Sign Manual to nominate and appoint One of the Commissioners for auditing the Public Accounts, to be Auditor General of Accounts of the Public Expenditure in *Spain* and *Portugal*, which already has been or may hereafter be incurred; who shall, upon receiving such Appointment, proceed forthwith to such Place in either of those Countries, as he may think fit, and shall execute that Office there during the Pleasure of His Majesty, under the Directions and Controul of the Commissioners of the Treasury; and such Auditor General shall have Authority to require all such Persons in *Spain* and *Portugal* as shall have received any Sum or Sums of Public Money by way of Imprest, or in any other manner, or any Public Stores for which they shall be accountable, to render an Account of the same to him, attested upon Oath, within a time to be by him limited, and to exhibit to him all such Books, Certificates, Warrants, Documents, Receipts and other Papers whatsoever, in the Possession or Power of such Persons, as shall appear to be necessary for the Examination of the Accounts of such Public Expenditure as aforesaid; and the said Auditor General so to be appointed shall have Authority to examine upon Oath (which Oath he is hereby authorized to administer) all Accountants and all other Persons whom he shall think fit to examine touching the Receipt and Expenditure of Public Money or Stores in *Spain* and *Portugal*, and touching all other Matters and Things necessary for the due Execution of the Powers to be vested in him by virtue of his Appointment, and of this Act.

Oath.

Treasury to grant Salary.

II. And be it further enacted, That the Commissioners of the Treasury may grant to the said Auditor General such Salary or Allowance as shall be deemed by them to be a reasonable Remuneration for the Service to be performed by him, so long as he shall continue to hold the said Office of Auditor General.

III. And whereas it may be necessary or expedient that the Accounts which shall have been examined by such Auditor General,

neral, or that any Accounts of Public Expenditure which have been or hereafter may be examined by any Commissioners of Accounts, Public Boards, Officers or other Persons duly authorized to examine such Accounts, should in all cases be again examined by the Commissioners for auditing the Public Accounts; Be it therefore enacted, That it shall be lawful for the Commissioners of Audit, in making up and passing Public Accounts which have previously undergone such Examination as aforesaid, whether the same Accounts, according to the Course of their Proceedings, are stated to the Commissioners of the Treasury for Consideration, or prepared for Declaration in the first Instance, to allow or disallow without further Investigation, if the said Commissioners for auditing Public Accounts shall think proper, all Articles which shall have been allowed or disallowed upon such previous Examination.

Accounts examined by Auditor General, &c. need not be examined by Commissioners of Public Accounts.

IV. And whereas great Delay and Inconvenience with respect to the making up and passing of the Public Accounts have been experienced by reason of certain Provisions of the Law which require that the Commissioners for auditing the Public Accounts should not give Allowance of any Article without a written Voucher or other Evidence of actual Payment; Be it therefore enacted, That it shall and may be lawful for the Commissioners for auditing the Public Accounts, notwithstanding any Law or Usage to the contrary, to allow One or more Articles of Discharge in any Public Account without the Production of any written Voucher or other Evidence of Payment, provided that the Articles so allowed be pointed out to the Attention of the Commissioners of the Treasury by a Note or Memorandum on the State of the Account, or by a Representation thereof in the case of Accounts prepared by the Commissioners of Audit for Declaration without being previously stated, to the end that the Commissioners of the Treasury may require such Explanation of the Articles so allowed as they shall deem to be necessary, and shall have full Opportunity of considering the Propriety of all such Allowances, and of confirming or rescinding the same at their Pleasure: Provided always, that in every case in which such Articles allowed in any One Account shall exceed in the whole the Sum of One thousand Pounds, the said Commissioners of the Treasury for the time being shall, in a Minute of the Treasury, and also in the Warrant for preparing the Account for Declaration in all cases in which the Account shall have been stated to them by the Commissioners of Audit, specifically direct the Allowance of the said Articles, and if they shall deem it necessary, state their Reasons for allowing the same.

Commissioners of Public Accounts may allow Articles of Discharge without written Voucher, denoting same to Treasury.

V. And whereas considerable Delay and Inconvenience have been experienced in the passing of divers Public Accounts from the Want of a discretionary Power in the Commissioners for auditing the Public Accounts to dispense in certain cases with the Production of Stamped Receipts; Be it therefore enacted, That it shall be lawful for the same Commissioners, in the Examination of any Public Accounts, to admit and allow, in cases where it shall appear to them to be reasonable and expedient for the Public Service, of Receipts and Vouchers for any Monies expressed therein, although such Receipts and Vouchers should not have been stamped according to Law.

Accounts passed although Receipts have not pro-per Stamps.

VI. And whereas in consequence of the Changes which have already taken place, or may hereafter take place in the Number of

Audit Office arranged as Treasury shall direct.

‘ the Commissioners for auditing the Public Accounts by Death  
 ‘ or by the Appointment of one of them to be such Auditor General  
 ‘ as aforesaid, by virtue of this Act, it is expedient that some new  
 ‘ Arrangements should be made for conducting the Business of the  
 ‘ Audit Office;’ Be it therefore enacted, That it shall be lawful for  
 the Commissioners of the Treasury for the time being, or any Three  
 or more of them, from time to time by Warrant under their Hands  
 to direct such new Arrangements respecting the Conduct of the  
 Business in the Audit Office, and to constitute and appoint such One  
 or more Board or Boards of the said Commissioners of Audit, and to  
 assign to such Board or Boards respectively the Exercise of such  
 Duties with respect to the Conduct of the Business of the Office,  
 and the Superintendance and Controul to be exercised over the  
 Officers, Clerks and other Persons employed there, as to the said  
 Commissioners of the Treasury shall seem to be expedient.

### C A P. CLI.

An Act for regulating the Office of Registrar of the High  
 Court of Admiralty, and High Court of Appeals for Prizes.  
 [20th July 1813.]

‘ **W**HEREAS it is expedient to make Provisions for securing  
 ‘ the Monies of Suitors in Prize Causes depending in the  
 ‘ High Court of Admiralty, and the High Court of Appeals for  
 ‘ Prizes:’ 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 Registrar of the High Court of  
 Admiralty and of the High Court of Appeals for Prizes, his Deputy  
 or Deputies, do, within Three Months after the Commencement of  
 this Act, make out and deliver, duly certified, to the Judge of the  
 High Court of Admiralty, and to the Lords Commissioners of  
 Appeals for Prizes, true and perfect Schedules of all Monies, Ex-  
 chequer Bills, Stocks and other Securities, belonging to any of the  
 Suitors of the said Courts, in his or their Hands, Custody or Power,  
 specifying the Name of the Cause, Proceeding or Matter, in or on  
 account of which such Monies have been paid, or such Exchequer  
 Bills, Stocks and other Securities, have been purchased or transferred,  
 and do, within One Month after the Delivery of such Schedules,  
 pay, deliver and transfer the whole of such Monies, Exchequer  
 Bills, Stocks and Securities, to the Governor and Company of the  
 Bank of *England*, to an Account to be raised in the Books of the  
 said Governor and Company, and to be entitled “ The Account of  
 the Registrar of the High Court of Admiralty and High Court of  
 Appeals for Prizes,” inserting the Name of such Registrar for the  
 time being; and all such Monies, Exchequer Bills, Stocks and  
 Securities, so to be paid, delivered and transferred as aforesaid,  
 shall be placed to the like Account; and at the time of such Pay-  
 ment, Delivery and Transfer, the said Registrar or his Deputy shall  
 receive from the Bank a Certificate of the Transfer of such Stock,  
 and a Receipt for such Monies, Exchequer Bills and Securities, and  
 forthwith file such Certificate and Receipt in the High Court of  
 Admiralty, and High Court of Appeals for Prizes.

Registrar to make Schedules of Monies, Exchequer Bills, &c. belonging to Suitors, and deliver them into Bank.



II. And be it further enacted, That when any Money shall hereafter be paid into the High Court of Admiralty, or High Court of Appeals for Prizes, on account of any Prize Suit depending therein, the Registrar of such Courts, or his Deputy, shall forthwith pay the same into the Bank to such Account as aforesaid, and shall take a Certificate from one of the Cashiers of the Bank of his paying the same, which Certificate shall be filed in the High Court of Admiralty, or High Court of Appeals for Prizes, as the case may be.

Monies hereafter paid into High Court of Admiralty, &c. taken to Bank.

III. And be it further enacted, That if the total Amount of the Sums so authorized to be retained by the Registrar shall at any time exceed the Sum of Ten thousand Pounds, the said Registrar or his Deputy shall, within One Week after such Excess happening, report the same to the Judge of the said High Court of Admiralty, who shall thereupon order such Part of the Monies so retained, as to him shall seem expedient, to be lodged in the Bank so as to reduce the Amount in the Registry to the Sum of Ten thousand Pounds.

How Money retained by Registrar applied when it exceeds 10,000l.

IV. And be it further enacted, That when any Money shall thereafter, by the High Court of Admiralty, or the High Court of Appeals for Prizes, be ordered to be invested in Government Securities, the Species of the particular Securities in which the same shall be directed to be invested, shall be mentioned in the Order; and the said Registrar or his Deputy shall forthwith invest the same accordingly; and in case any Part thereof shall consist of *East India Bonds*, *Exchequer Bills*, *Tallies* or *Orders*, the same shall be delivered in at the Bank, and placed to such Account of the Registrar, as before mentioned; and if any of such Securities shall consist of *Government Stocks* or *Annuities*, the same shall be transferred to the said Registrar or his Deputy, who shall make a Declaration of Trust in the Books of the Bank, that the same is subject to the Orders of the said High Court of Admiralty, or High Court of Appeals for Prizes, and shall take a Certificate thereof from the proper Officer at the Bank, and likewise enter the same in his Book at the Bank, that the Bank may receive the Dividends thereupon; and the said Registrar shall from time to time make a Report of all such Securities to the said Court of Admiralty, or Court of Appeals for Prizes, specifying the Dates and Numbers of such Bonds, Tallies and Orders, and Quantities of Stock, and of the time of the Transfer of such Stock to him, of which a clear and proper Entry shall be kept, in such manner as the Judge of the said Court of Admiralty shall direct.

Order for investing Money in Government Securities to specify Species.

V. And be it further enacted by the Authority aforesaid, That from and after such Payment, Delivery and Transfer, the Bank shall receive all Interest due upon such *Exchequer Bills* and other Securities, as likewise the Dividends of all such Stocks in the Company's Books transferred to the said Account; and the said Registrar shall, for that Purpose, by a proper Authority in Writing, empower one of the Cashiers of the Bank to receive the same, and from time to time such Interest of Money and Dividends on Stock shall be placed the said Registrar's Credit in the said Account.

Bank to receive Interest on Exchequer Bills, &c.

VI. And be it further enacted, That when any Securities deposited or to be deposited at the Bank shall be directed by Order of the Court to be delivered out, an Order or Decree shall be made, under the Direction of the Court, of the Securities to be delivered out,

When Securities delivered out of Bank, an Order to be signed by the Registrar.

together with the Numbers, Dates and Sums, and the Name of the Cause or Matter wherein the same are to be delivered out; which Order or Decree shall be signed by the said Registrar or his Deputy, and pass under the usual Seal of the Court in which the Cause is depending, and the same shall be a proper Authority to the Bank to deliver over such Securities, and enter the Delivery thereof in the Registrar's Account.

When Stock transferred to Suitors, Proctor to certify to Registrar what Stock transferred, &c.

VII. And be it further enacted by the Authority aforesaid, That when any Stock in any of the Company's Books shall be ordered to be transferred to any of the Suitors of the said Court of Admiralty, or Court of Appeals for Prizes, the Proctor shall certify under his Hand to the Registrar or his Deputy, what Stock he is by such Order to transfer, and to whom; which Certificate the said Proctor concerned shall carry to the Registrar, who shall by himself or Deputy, within One Week, or at the next opening of the respective Company's Books, attend and deliver such Certificate to the proper Officer of such Company, and transfer such Stock, or give sufficient Authority to some other Person so to do.

Certificate sufficient for Registrar to transfer.

VIII. And it is hereby enacted, That such Certificate shall be an Authority to the respective Companies to permit the said Registrar, or other Persons by him lawfully authorized, to transfer such Stocks; of which Transfer the said Registrar or his Deputy is to make his Report, and file the same in the proper Court; and the Transfer of such Stock shall be certified by the Registrar or his Deputy, to the Bank, in order that such Stock may be discharged out of the Account of the said Registrar in his Book there.

How Money paid to Suitors.

IX. And be it further enacted, That when any Money belonging to the Suitors of either of the said Courts, received by the Bank pursuant to the Directions of this Act, shall be directed to be paid by Order of either of the said Courts, the Proctor concerned shall certify under his Hand to the said Registrar or his Deputy, what Sum he is by such Order to pay, and to whom; and on the same being filed, the said Registrar or his Deputy shall, by Note under his Hand, draw on the Bank for so much Money as shall be directed to be paid, upon Cheque Paper, fairly written and signed by the Registrar or his Deputy, which Note shall be sufficient Authority to the Bank to pay such Money to the Person or Persons mentioned in such Note, or to such Person as he, she or they, by Indorsement, shall order to receive the same, as likewise to write off the same from such Registrar's Account: And, for the better and more effectually carrying this Act into Execution, the Judge for the time being of the High Court of Admiralty, and the Lords Commissioners of Appeals for Prizes, are hereby authorized and empowered from time to time to make all such further Orders and Regulations in Writing, to be signed by them, as they shall deem necessary and proper for effectuating all or any of the Purposes hereinbefore expressed: Provided always, that when any such Orders shall be made, such Registrar shall cause a true Copy thereof, signed by him, to be transmitted to the Governor and Deputy Governor of the Bank of England, who, after receiving such Orders, shall cause the same to be observed in the same manner as if such Orders had originally formed a Part of or been contained in this Act.

Judge of Admiralty Court to make further Orders and Regulations as necessary.

Proviso for certain Money

X. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to any Monies or

or Securities for Monies, paid or to be paid into the High Court of Admiralty of *England*, in the Instance Jurisdiction thereof.

paid into Court of Admiralty :

XI. Provided also, That the Regulations of this Act shall not extend nor be construed to extend to any Sum not exceeding Two hundred Pounds, paid or to be paid into either of the aforesaid Courts of Admiralty or Appeals in any Prize Suit ; but all such Sums shall be allowed to remain in the Hands of the said Registrar or his Deputy, to answer the current Business of the said Office ; provided the whole Amount of such Sum do not exceed Ten thousand Pounds.

And for Sums not exceeding 200*l.* paid into Courts of Admiralty or Appeals.

XII. And be it further enacted, That if any Person or Persons shall, from and after the Period of Three Months after the Commencement of this Act, forge or counterfeit, or procure to be forged or counterfeited, or willingly act or assist in the forging or counterfeiting, the Name or Hand of the said Registrar for the time being of the High Court of Admiralty or High Court of Appeals for Prizes, or his Deputy, or any of the Cashiers of the said Governor and Company of the Bank of *England*, to any Certificate, Entry, Indorsement, Declaration of Trust, Note, Direction, Authority, Instrument or Writing whatever, for or in order to the receiving or obtaining any of the Money or Effects of any of the Suitors of the said Courts, or either of them, or shall forge or counterfeit, or procure to be forged or counterfeited, or willingly act or assist in forging or counterfeiting, any Certificate, Entry, Indorsement, Declaration of Trust, Note, Direction, Authority, Instrument or Writing, made by such Registrar or his Deputy, or any of the Cashiers of the said Governor and Company of the Bank of *England*, or shall utter or publish any such, knowing the same to be forged or counterfeited, with Intention to defraud any Person whatsoever; then every such Person and Persons so offending (being thereof lawfully convicted) shall be and is hereby declared and adjudged to be guilty of Felony.

Forging Name of Registrar, &c.

XIII. Provided always, and be it enacted, That none of the Provisions or Regulations of this Act shall commence at or take Effect until after the Expiration of the Interest now vested in the present Registrar of the High Court of Admiralty, and the High Court of Appeal for Prizes ; any thing herein contained to the contrary thereof in any wise notwithstanding.

Felony.  
Commencement of Act.

### C A P. CLII.

An Act to continue until the First Day of *January* One thousand eight hundred and nineteen, an Act made in the Fifty first Year of His present Majesty, to explain and amend the Laws touching the Elections of Knights of the Shire to serve in Parliament for *England*, respecting the Expences of Hustings and Poll Clerks, so far as regards the City of *Westminster*.

[20th July 1813.]

‘ WHEREAS the Law hereinafter mentioned hath by Experience been found useful and beneficial, and is near expiring ; and it is therefore expedient that the same should be continued ;’ 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

51 G. 3. c. 116.  
continued

assembled, and by the Authority of the same, That an Act made in the Fifty first Year of His present Majesty's Reign, intituled *An Act to extend an Act made in the Eighteenth Year of His late Majesty King George the Second, to explain and amend the Laws touching the Elections of Knights of the Shire to serve in Parliament for England; respecting the Expences of Hustings and Poll Clerks, so far as regards the City of Westminster*; shall be and the same is hereby continued until the First Day of January One thousand eight hundred and nineteen.

## C A P. CLIII.

An Act to enable His Majesty to grant additional Annuities to the Judges of the Courts in *Westminster Hall*, on their Resignation of their Offices. [20th July 1813.]

Most Gracious Sovereign,

39 G. 3. c. 110.

WHEREAS an Act passed in the Thirty ninth Year of the Reign of His present Majesty, intituled *An Act for the Augmentation of the Salaries of the Judges of the Courts in Westminster Hall, and also of the Lords of Session, Lords Commissioners of Justiciary and Barons of Exchequer in Scotland, and for enabling His Majesty to grant Annuities to Persons in certain Offices in the said Courts of Westminster Hall on their Resignation of their respective Offices*: And whereas it is expedient that further Provision should be made for such Persons as have held the Offices of Chief Justice of the Court of King's Bench, of Master of the Rolls, of Chief Justice of the Court of Common Pleas, and the Chief Baron of the Exchequer, and the Justices of the Court of King's Bench and Common Pleas, and Barons of the Exchequer respectively, in the Event of their quitting the said Offices: We, your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom in Parliament assembled, 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 it shall be lawful for His Majesty, his Heirs and Successors, by any Letters Patent under the Great Seal of *Great Britain*, to give and grant unto any Person who may or shall have executed the Office of Chief Justice of the Court of King's Bench, Master of the Rolls, Chief Justice of the Common Pleas, or Chief Baron of the Exchequer respectively, and who shall respectively have resigned the same, an Annuity or yearly Sum of Money, not exceeding the Sum of Eight hundred Pounds; and to any Person who may or shall have executed the Office of Justice of the Court of King's Bench or Common Pleas, or of Baron of the Court of the Court of Exchequer, and who shall have resigned the same, an Annuity or yearly Sum of Money, not exceeding the Sum of Six hundred Pounds; which said several and respective Annuities shall be in Addition to and in Augmentation of the respective Annuities or yearly Sums allowed to be given and granted to such Persons respectively, under the Provisions of the said recited Act of the Thirty ninth Year aforesaid, and in like manner to commence from and after the Period when the Person to whom any such Annuity

Additional Annuities granted to Judges on Resignation of Offices.

or yearly Sum of Money shall be granted as aforesaid shall have resigned his said Office, and to continue from thenceforth for and during the natural Life of the Person to whom the same shall be granted as aforesaid; and every such Annuity or yearly Sum of Money shall be issued and payable out of and charged and chargeable upon the Consolidated Fund, next in order of Payment to and after paying or reserving sufficient to pay all such Sum or Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the same, but with like Preference to all other Payments whatsoever.

II. And be it further enacted, That the said several Annuities and yearly Sums of Money shall from time to time from the granting thereof be payable and paid Quarterly free and clear from all Taxes and Deductions whatsoever, except the Duty charged by an Act passed in the Forty sixth Year of the Reign of His present Majesty, intituled *An Act for granting to His Majesty during the present War, and until the Sixth Day of April next after the Ratification of a Definitive Treaty of Peace, further additional Rates and Duties in Great Britain on the Rates and Duties on Profits arising from Property, Professions, Trades and Offices; and for repealing an Act passed in the Forty fifth Year of His present Majesty, for repealing certain Parts of an Act made in the Forty third Year of His present Majesty, for granting a Contribution on the Profits arising from Property, Professions, Trades and Offices, and to consolidate and render more effectual the Provisions for collecting the said Duties, by even and equal Portions at the like Periods, and together with and in the same manner as the Annuities and yearly Sums which may be given and granted under the said recited Act and under and subject to the like Rules, Regulations and Restrictions (as far as the same are applicable), as are contained and prescribed in the said recited Act in relation to the Annuities or yearly Sums of Money therein allowed to be given and granted.*

Annuities free from Taxes, except Property Tax.

46 G. 3. c. 65.

III. And be it further enacted, That the said recited Act, and all Clauses, Provisions, Rules, Regulations, Matters and Things therein contained (so far as the same are applicable and are not hereby altered), shall be in force and be applied to carry into Effect the Purposes of this Act.

Provisions of recited Act applied.

#### C A P. CLIV.

An Act to render valid, and to authorize the Payment and granting of certain Pensions at *Kilmainham* Hospital, and to empower the Commissioners of the said Hospital to commute Pensions for a Sum of Money in certain Cases.

[20th July 1813]

• **W**HEREAS since the Establishment of the Militia of *Ireland*, certain yearly Pensions have from time to time been paid under the Direction of the Governors of the Royal Hospital at *Kilmainham* to Non Commissioned Officers and Privates who had served in the said Militia and had been discharged therefrom, but who, according to the Terms of the several Acts of Parliament made in that Behalf respectively, were not by Law entitled to receive the same: And whereas the said Payments have been made *bona fide* under an Opinion that the same were warranted and

required.

X x 4

‘ required by Law, and the several Persons who have so received  
 ‘ such yearly Pensions having been led thereby to expect and rely  
 ‘ on the Continuance thereof respectively as a Provision for Life,  
 ‘ have become chiefly, if not entirely dependent thereon for their  
 ‘ future Support; it is therefore expedient that the Payment of the  
 ‘ said Pensions should be confirmed and continued;’ 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 and every Payment and Payments which shall  
 or may have been made at any time before the passing of this Act, by  
 or under the Direction or Authority of the said Governors, or of  
 any Committee or Committees thereof, or of any One or more of the  
 said Governors authorized, empowered or appointed to act for or on  
 behalf of the whole, to any Person or Persons who had served in the  
*Irish* Militia, as or for a Pension or Provision for or in respect of such  
 Service, shall be and be deemed and taken to be good, valid and  
 lawful, and shall be allowed and credited as such to the Person or  
 Persons making the same; any thing in any Act or Acts of Parlia-  
 ment in force in *Ireland* to the contrary thereof in any wise notwith-  
 standing.

Pensions to  
 Militia Men  
 granted by any  
 Governor valid.

Pensions to  
 Militia Men  
 confirmed.

II. And be it further enacted; That, from and after the passing of  
 this Act, every Person who shall have served in and been discharged  
 from the *Irish* Militia, and to whom any such Pension shall have been  
 ordered or awarded at any time before the passing of this Act, for  
 or in respect of such Service, by the said Governors, and who has  
 not in any manner forfeited the same, shall continue to receive and  
 shall be entitled to receive the same from time to time, for such Term  
 and in such manner and under and subject to such and the same  
 Terms, Conditions, Limitations and Restrictions as if the Order,  
 Resolution or Act of the said Governors, or of any Committee or  
 Committees thereof, or of any One or more of the said Governors  
 authorized, empowered or appointed to act for or on behalf of the  
 whole, whereby any such Pension was ordered or awarded to him  
 respectively, had at the time of making such Order, Resolution or  
 Act been fully warranted by Law; any thing in any Act or Acts of  
 Parliament to the contrary notwithstanding.

51 G. 3. c. 118.  
 § 7.

‘ III. And whereas by an Act passed in the Fifty first Year of  
 ‘ His present Majesty’s Reign, intituled *An Act to permit the Inter-  
 ‘ change of the English and Irish Militias respectively*, it is, amongst  
 ‘ other things, provided that all Non Commissioned Officers,  
 ‘ Drummers and Private Men, of the said Militias, whose Service  
 ‘ should become extended to all Parts of the United Kingdom by  
 ‘ virtue of the said Act, who should be disabled in actual Service,  
 ‘ should be entitled to the Benefit of *Chelsea* Hospital; but the  
 ‘ Royal Hospital of *Kilmainham* is not mentioned therein; For  
 ‘ Remedy whereof, be it enacted, That all Non Commissioned Officers,  
 ‘ Drummers and Private Men of such Force who shall be so disabled in  
 ‘ *Ireland*, shall be entitled to the Benefit of the Royal Hospital at  
 ‘ *Kilmainham* instead of *Chelsea* Hospital.

Instead of *Chel-  
 sea* Hospital,  
 Militia Men  
 disabled in *Irē-  
 land* entitled to  
*Kilmainham*.  
 52 G. 3. c. 109.

‘ IV. And whereas an Act was passed in the Fifty second Year of  
 ‘ His present Majesty’s Reign, to empower the Commissioners of  
 ‘ *Chelsea* Hospital to commute Pensions for a Sum of Money in  
 ‘ certain cases therein mentioned; and it is expedient that a similar  
 ‘ Power

Power should be granted to the Commissioners of the Royal Hospital at *Kilmainham*; Be it therefore enacted, That it shall and may be lawful for the Commissioners of the Royal Hospital at *Kilmainham* to give to any Soldier not a Native of the United Kingdom who may have been or may be discharged, and may be entitled to any Out Pension or Allowance from the Royal Hospital at *Kilmainham* by reason of Service, or having become invalid or disabled, and who shall be desirous of residing out of *Ireland*, and who may be recommended for that Purpose, by any Order of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, to be signified to the said Commissioners by the Chief Secretary to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or in his Absence by the Under Secretary for the Military Department, such Sum of Money in gross, in lieu of and for the Purchase of such Annual Pension or Allowance as may be directed by such Order in that Behalf; any thing contained in any former Act or Acts of Parliament to the contrary notwithstanding.

V. And be it further enacted, That the Money to be paid as aforesaid to any such Person as an Equivalent for the Pension or Allowance to which he is entitled, shall be paid out of any Money voted for or applicable to the Payment of Pensions or Allowances to discharged Soldiers under the Management of the Commissioners of the Royal Hospital at *Kilmainham*; and the Receipt of the Person receiving such Equivalent shall be a full Discharge for the said Commissioners for the said Sum or Sums of Money so paid by them as aforesaid, and shall also be a Discharge by the Person giving such Receipt of all Claims to any future Payment of the said Pension or Allowance: Provided always, that no such Receipt shall be liable to any Stamp Duty.

Persons entitled to Benefit of *Kilmainham* Hospital desirous of residing out of *Ireland* may receive a Commutation for Pensions.

Equivalent for Pension paid out of Money voted for Soldiers Pensions.

Stamp Duty.

### C A P. CLV.

An Act for continuing in the *East India* Company, for a further Term, the Possession of the *British* Territories in *India*, together with certain exclusive Privileges; for establishing further Regulations for the Government of the said Territories, and the better Administration of Justice within the same; and for regulating the Trade to and from the Places within the Limits of the said Company's Charter.

[21st July 1813.]

WHEREAS by an Act of the Parliament of *Great Britain*, passed in the Thirty third Year of His present Majesty's Reign, 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, and for other Purposes; the Possession and Government of the *British* Territories in *India*, together with an exclusive Trade in, to and from the *East Indies*, and other the Limits described in an Act made in the Ninth Year of the Reign of King *William* the Third, or in a certain Charter of the Fifth Day of *September*, in the Tenth Year of the same King, were continued in the United Company of Merchants of *England* trading to the *East Indies*, for a Term thereby limited, under certain Regulations and Conditions: And whereas by an Act of the Parliament of *Ireland*, passed in the same Thirty third

33 G. 3. c. 52.

9 & 10 W. 3.  
c. 44. § 61.  
Charter, 5 Sept.  
10 W. 3.

33 G. 3. (1.)  
c. 31.

53 G. 3. c. 52.  
§ 71.

‘ third Year of His present Majesty’s Reign, for regulating the Trade  
 ‘ of *Ireland*, to and from the *East Indies*, under certain Conditions  
 ‘ and Provisions, for a time therein mentioned, the exclusive Privileges  
 ‘ granted to the said United Company by the said Act of the Par-  
 ‘ liament of *Great Britain* were confirmed, subject to certain Condi-  
 ‘ tions and Restrictions: And whereas it is expedient that the Ter-  
 ‘ ritorial Acquisitions mentioned in the said Act of the Parliament  
 ‘ of *Great Britain* of the Thirty third Year of His present Majesty,  
 ‘ together with such other Territorial Acquisitions on the Continent  
 ‘ of *Asia*, or in any Islands situate to the North of the Equator, as  
 ‘ are now in the Possession and under the Government of the said  
 ‘ United Company, with the Revenues thereof, should, without Pre-  
 ‘ judice to the undoubted Sovereignty of The Crown of the United  
 ‘ Kingdom of *Great Britain* and *Ireland* in and over the same, or to  
 ‘ any Claim of the said United Company to any Rights, Franchises  
 ‘ or Immunities, remain in the Possession and under the Government  
 ‘ of the said United Company for a further Term; subject to such  
 ‘ Powers and Authorities for the Superintendance, Direction and  
 ‘ Controul over all Acts, Operations and Concerns, which relate to  
 ‘ the Civil or Military Government or Revenues of the said Ter-  
 ‘ ritories, and to such further or other Powers, Authorities, Rules,  
 ‘ Regulations and Restrictions, as have been already made or provided  
 ‘ by any Act or Acts of Parliament in that Behalf, or are made and  
 ‘ provided by this Act: And whereas it is expedient that, from and  
 ‘ after the Tenth Day of *April* One thousand eight hundred and  
 ‘ fourteen, the Right of trading, trafficking and adventuring, in, to  
 ‘ and from all Ports and Places within the Limits of the said United  
 ‘ Company’s present Charter, save and except the Dominions of the  
 ‘ Emperor of *China*, should be open to all His Majesty’s Subjects, in  
 ‘ common with the said United Company, subject to certain Regula-  
 ‘ tions and Provisions; but that the existing Restraints respecting the  
 ‘ Commercial Intercourse with *China* should be continued, and the  
 ‘ exclusive Trade in Tea preserved to the said Company, during the  
 ‘ further Term hereby 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 Parlia-  
 ‘ ment assembled, and by the Authority of the same, That the Terri-  
 ‘ torial Acquisitions mentioned in the said Act of the Parliament of  
 ‘ *Great Britain*, of the Thirty third Year of His present Majesty,  
 ‘ together with such of the Territorial Acquisitions since obtained upon  
 ‘ the Continent of *Asia*, or in any Islands situate to the North of the  
 ‘ Equator, as are now in the Possession of and under the Government  
 ‘ of the said United Company, with the Revenues thereof respectively,  
 ‘ shall remain and continue in the Possession and under the Government  
 ‘ of the said United Company, subject to such Powers and Authorities  
 ‘ for the Superintendance, Direction and Controul over all Acts, Ope-  
 ‘ rations and Concerns which relate to the Civil or Military Govern-  
 ‘ ment or Revenues of the said Territories, and to such further and  
 ‘ other Powers, Authorities, Rules, Regulations and Restrictions, as  
 ‘ have been already made or provided by any Act or Acts of Parliament  
 ‘ in that Behalf, or are made and provided by this Act, for a further  
 ‘ Term, to be computed from the said Tenth Day of *April* One  
 ‘ thousand

Former territo-  
 rial Acquisitions  
 in India, with  
 late Acquisitions  
 on Continent of  
 Asia, or in any  
 Island North of  
 the Equator, to  
 continue in  
 Government of  
 East India Com-  
 pany, for further  
 Term.



thousand eight hundred and fourteen, until the same shall be determined by virtue of the Proviso hereinafter contained.

II. And be it further enacted, That the sole and exclusive Right of trading, trafficking and using the Business of Merchandize in, to and from the Dominions of the Emperor of *China*, and the whole, sole and exclusive Right of trading and trafficking in Tea, in, to and from all Islands, Ports, Havens, Coasts, Cities, Towns and Places, between the *Cape of Good Hope* and the Streights of *Magellan*, in such manner as the same Rights now are or lawfully may be exercised or enjoyed by the said United Company, by virtue of any Act or Charter now in force, but not further or otherwise; and all and singular the Profits, Benefits, Advantages, Privileges, Franchises, Abilities, Capacities, Powers, Authorities, Rights, Remedies, Methods of Suit, Penalties, Forfeitures, Disabilities, Provisions, Matters and Things whatsoever, granted or vested in the said Company by the said Acts of the Thirty third Year of His present Majesty or either of them, for and during the Term limited by the said Act of the Parliament of *Great Britain*, and all other the Enactments, Provisions, Matters and Things contained in the said Acts of the Thirty third Year of His present Majesty, or in any other Act or Acts whatsoever, which are limited, or may be construed to be limited, to continue for and during the Term granted to the said Company by the said Act of the Parliament of *Great Britain* of the Thirty third Year of His present Majesty, so far as the same or any of them are in force, and not repealed by or repugnant to this Act, shall continue and be in force during the further Term hereby granted to the said Company; subject to such Alterations therein as may be made by any of the Enactments, Provisions, Matters and Things in this Act contained.

Exclusive Trade with China, and Trade in Tea. Former Acts not repealed by or repugnant to Act; continued during further Term.

33 G. 3. c. 52.  
33 G. 3. (1.)  
c. 31.

III. Provided always, and be it further enacted, That at any time upon Three Years' Notice to be given by Parliament after the Tenth Day of *April* One thousand eight hundred and thirty one, and upon Payment made to the said United Company, of any Sum or Sums of Money, which according to the Provisions of a certain Act of the Thirty third of the Reign of His present Majesty, intituled *An Act for placing the Stock, called East India Annuities, under the Management of the Governor and Company of the Bank of England, and ingrafting the same on the Three Pounds per Centum Reduced Annuities, in Redemption of a Debt of Four millions two hundred thousand Pounds owing by the Public to the East India Company; and for enabling the said Company to raise a Sum of Money by a further Increase of their Capital Stock, to be applied in Discharge of certain Debts of the said Company*, shall, or may, upon the Expiration of the said Three Years, become payable to the said Company, according to the true Intent and Meaning of the said Act, then and from thenceforth, and not before or sooner, the said Term hereby granted to the said United Company, and all Right, Title and Interest of the said United Company, to or in any exclusive Trade continued to the said Company under the Provisions of this Act, shall cease and determine.

On Expiration of Three Years' Notice by Parliament, any time after 10th April 1831, and Payment of what is due from Public to Company, Term and exclusive Trade to cease.

33 G. 3. c. 47.  
§ 7.

IV. Provided also, That nothing in the said Proviso last hereinbefore contained, or in any Proviso in the said Act of the Ninth Year of King *William* the Third, or in the said Charter of the Fifth Day of *September* in the Tenth Year of His Reign, or in any other Act or Charter contained, shall extend or be construed to extend, to determine

Not to determine Corporation of Company, or their Right to trade in common with others.

9 & 10. W. 3  
c. 44.

termine the Corporation of the said United Company, or to hinder, prevent or preclude the said Company or their Successors, from carrying on at all times after such Determination of their exclusive Trade as aforesaid, a Free Trade, in, to and from the *East Indies*, and Limits in the said last mentioned Act or Charter contained, with all or any Part of their Joint Stock in Trade, Goods, Merchandizes, Estates and Effects, in common with other the Subjects of His Majesty, his Heirs and Successors, trading to, in and from the said Parts or Limits.

Notice by  
Speaker deemed  
a due Notice by  
Parliament.

V. And be it further enacted, That any Notice in Writing, signified by the Speaker of the House of Commons for the time being, by order of the said House, shall be deemed and adjudged a due and proper Notice by Parliament, to and for all the Ends, Intents and Purposes, for which any Notice is by this Act directed to be given to the said United Company.

Any of His  
Majesty's Sub-  
jects after 10th  
April 1814 may  
trade to and  
from the United  
Kingdom, from  
and to Ports and  
Places within  
Company's pre-  
sent Limits, ex-  
cept China; in  
Ships navigated  
according to  
Law.

VI. And be it further enacted, That, from and after the said Tenth Day of *April* One thousand eight hundred and fourteen, it shall and may be lawful for any of His Majesty's Subjects, in Common with the said United Company, to export in Ships navigated according to Law, from any Port or Ports within the United Kingdom of *Great Britain and Ireland*, to all Ports and Places within the Limits hereinbefore referred to; save and except the Dominions of the Emperor of *China*; any Goods, Wares and Merchandize, which can now, or may at any time or times hereafter be legally exported; and also, in common with the said Company, to import in Ships navigated as aforesaid, from any Port or Ports within the Limits aforesaid, save and except as aforesaid, into the said United Kingdom, any Goods, Wares and Merchandize, the Product or Manufacture of any of the Countries within the said Limits, which can now or may at any time or times hereafter, be legally imported; subject nevertheless to the several Restrictions, Conditions and Limitations, in this Act contained.

12 Car. 2. c. 18.  
§ 4.

VII. And whereas by a certain Act passed in the Twelfth Year of the Reign of King *Charles* the Second. intituled *An Act for encouraging and increasing of Shipping and Navigation*, it is enacted, That no Goods or Commodities, that are of Foreign Growth, Production or Manufacture, and which are to be brought into *England, Ireland, Wales*, the Islands of *Guernsey* and *Jersey*, or Town of *Berwick upon Tweed*, in *English* built Shipping or other Shipping belonging to some of the aforesaid Places, and navigated by *English* Mariners, as in the said Act mentioned, shall be shipped or brought from any other Place or Places, Country or Countries, but only from those of the said Growth, Production or Manufacture, or from those Ports where the said Goods and Commodities can only be or are or usually have been first shipped for Transportation, and from none other Places or Countries; Provided that the said Act or any thing therein contained should not extend or be meant to restrain the importing of any *East India* Commodities, loaden in *English*-built Shipping, and whereof the Master and Three fourths of the Mariners at least are *English*, from the usual Place or Places of lading of them in any Part of those Seas to the Southward and Eastward of *Cabo Bona Speranza*, although the said Ports be not the very Places of their Growth; Be it enacted, That it shall and may be lawful for His Majesty's Subjects, in Ships navigated according to Law, to import, under the Authority of this Act, into the said United

§ 13.

Not to prevent  
Importation of  
Goods, the Pro-  
duce of any

United Kingdom, from all Ports and Places within the Limits of the said Company's Charter; save and except the Dominions of the Emperor of *China*; any Goods, Wares or Merchandize the Product or Manufacture of any Country within the Limits of the said Company's Charter, except Tea, although such Goods, Wares or Merchandize may not be of the Growth, Production or Manufacture of the Place or Country from which the same shall have been shipped or brought, or have been shipped or brought from the Port where such Goods or Commodities can only be, or are, or usually have been, first shipped for Transportation, nor the usual Place for lading the same; the said Act or any other Matter or Thing to the contrary notwithstanding.

Places within Charter, except Tea, from any other Places within Charter, except *China*.

VIII. Provided always, and be it further enacted, That it shall not be lawful for any Person or Persons, save only the said United Company or such as shall obtain their special Leave and Licence in Writing, or a special Leave and Licence in Writing under their Authority, for that Purpose, to ship, carry or put on board any ship in the *East Indies*, or other Parts within the Limits aforesaid, or to import into the said United Kingdom from any Port or Place whatsoever, any Tea; any thing in this Act contained to the contrary notwithstanding.

None but Company, or by their Licence, to trade in Tea:

IX. Provided also, and be it further enacted, That it shall not be lawful for any Person or Persons to carry any Military Stores to any Place upon the Continent of *Asia*, between the River *Indus* and the Town of *Malacca* on the Peninsula of *Malacca* inclusive, or in any Island under the Government of the said Company situate to the North of the Equator, or to the said Company's Factory of *Bencoolen* in the Island of *Sumatra* or its Dependencies; save only the said United Company, or such as shall obtain their special Leave and Licence in Writing, or a Special Leave and Licence in Writing under their Authority, for that Purpose.

Nor export Military Stores to certain Place.

X. Provided also, That it shall not be lawful for any private Person or Persons to export any Goods, Wares or Merchandize, to any Port or Place within the Limits of the said Company's Charter, except in some Ship or Ships to be cleared out from some Port or Ports of the United Kingdom of *Great Britain* and *Ireland*, or to import any Goods, Wares or Merchandize from any Port or Place within the Limits aforesaid, except only into such Ports of the said United Kingdom as shall be provided with Warehouses, together with Wet Docks or Basins, or such other Securities as shall in the Judgment of the Lord High Treasurer, or of the Lords Commissioners of the Treasury for the time being, or any Three or more of them in *Great Britain* and *Ireland* respectively, be fit and proper for the Deposit and safe Custody of all such Goods, Wares and Merchandize, as well as for the Collection of all Duties payable thereon, and shall have been duly declared so to be by the Order of His Majesty in Council in *Great Britain*, or by the Order of the Lord Lieutenant in Council in *Ireland*: Provided always, that Copies of all such Orders in Council to be issued as aforesaid, shall have been published Three times at least in the *London* or *Dublin Gazette*, as the case may be; and Copies of all such Orders shall be laid before both Houses of Parliament, in the Session next after the issuing of the same respectively.

Ships in private Trade to clear out from some Port in United Kingdom; and all Goods imported in private Trade brought to some Port in United Kingdom which shall have been declared fit by Order in Council.

XI. Provided also, and be it further enacted, That no Ship or Vessel engaged in Private Trade under the Authority of this Act,

Ships in private Trade not to go within certain

Limits, without Licence from Directors; Nor to any Places except principal Settlements without Special Licence. Directors to give Licences for principal Settlements.

shall proceed to any Place within the Limits of the said Company's Charter situate on the Continent of *Asia*, from the River *Indus* to the said Town of *Malacca* inclusive, or in any Island under the Government of the said Company lying to the North of the Equator, or to the said Company's Factory of *Bencoolen* or its Dependencies, without a Licence to be granted for that Purpose from the Court of Directors of the said United Company; and that no such Ship or Vessel, unless specially authorized as hereinafter mentioned, shall proceed to any Port or Place within the Limits last mentioned, except to some or one of the principal Settlements of *Fort William*, *Fort Saint George*, *Bombay* and *Prince of Wales Island*: And when and as often as any Application shall be made to the said Court of Directors for a Licence on Behalf of any such Ship or Vessel about to proceed from the said United Kingdom to any of the said Company's principal Settlements, the said Company shall and they are hereby required forthwith to issue their Licence for that Purpose, according to such Form as shall hereafter be settled by the said Court of Directors, with the Approbation of the Board of Commissioners for the Affairs of *India*: And when and as often as any Application shall be made to the said Court of Directors for a Licence specially authorizing any such Ship or Vessel to proceed to any Place or Places upon the Continent of *Asia*, from the River *Indus* to the said Town of *Malacca* inclusive, or in any Island under the Government of the said Company lying to the North of the Equator, except the said Company's principal Settlements, or to the said Company's Factory of *Bencoolen* or its Dependencies, the said Court of Directors shall, within Fourteen Days from the Receipt thereof, unless they shall think fit to comply therewith, transmit the same to the said Board of Commissioners for the Affairs of *India*, together with any Representation which the said Court may think proper to make upon the Subject of such Application; and in case the said Board of Commissioners shall think fit to direct the said Court of Directors to issue any such Licence or Licences, the said Court of Directors shall and they are hereby required forthwith to issue the same, upon such Terms and Conditions as the said Court of Directors, with the Approbation of the said Board of Commissioners, shall from time to time think fit: Provided always, that in all cases in which the said Board of Commissioners shall direct the said Court of Directors to issue any such Licence which they shall have declined to issue without such Direction, the Special circumstances inducing them to give such Direction shall be recorded in the Books of the said Board.

Special Licences for Continent of *Asia*, between the *Indus* and *Malacca*, or Islands North of the Equator or *Bencoolen*, to be at Discretion of Directors, subject to Controul of Board of Commissioners, who are to record their Reasons.

Licences for other Places more North than 11 Deg. South Lat. and between 64 and 150 Deg. East Long. granted by Board of Controul, who are to frame Rules for same; and in cases not falling within Rules, Special circumstances

XII. Provided also, and be it further enacted, That no Ship or Vessel engaged in Private Trade under the Authority of this Act, clearing out from any Port or Ports within the United Kingdom, shall proceed to any Place or Places situate more to the Northward than Eleven Degrees of South Latitude, and between the Sixty fourth and One hundred and fiftieth Degrees of East Longitude from *London* (save and except Ports and Places upon the Continent of *Asia*, from the River *Indus* to the said Town of *Malacca* inclusive, or in any Island under the Government of the said Company lying to the North of the Equator, and also save and except the said Company's Factory at *Bencoolen* and its Dependencies) without a Licence from the said Board of Commissioners for the

Affairs

Affairs of *India*; and the said Commissioners shall and they are hereby required from time to time to frame and publish such Rules and Regulations for the granting of Licences in that Behalf, as they shall think fit; and in all cases in which any Licence shall be granted by the said Board of Commissioners, otherwise than according to such Rules and Regulations, the Special circumstances under which such Licence shall have been granted, shall be recorded in the Books of the said Board, and communicated to the Court of Directors.

recorded, and communicated to Directors.

XIII. Provided also, That it shall not be lawful for any Ship or Vessel, the registered Measurement whereof shall be less than Three hundred and fifty Tons, other than such Ships or Vessels as may be employed by the said Company as Packets, to clear out from any Port in the United Kingdom, for any Port or Place within the Limits of the said Company's Charter, or be admitted to Entry at any Port of the United Kingdom, from any Place within those Limits.

No Ship under 350 Tons, to clear out for or admitted to Entry within Limits of Company's Charter.

XIV. Provided also, and be it further enacted, That no Ship or Vessel engaged in Private Trade under the Authority of this Act shall be permitted to clear out from or be admitted to Entry at any Port or Place within the United Kingdom, or Limits of the said Company's Charter, until the Master or other Person having the Command of such Ship or Vessel shall have made out and exhibited a true and perfect Manifest of the Cargo of such Ship or Vessel, to such Person or Persons, according to such Form, and subject to such Regulations as now are or hereafter may be prescribed by any Act or Acts passed or to be passed for that Purpose.

No Ship in private Trade to clear out or enter without a Manifest.

XV. Provided also, and be it further enacted, That no Ship or Vessel engaged in Private Trade under the Authority of this Act shall be permitted to clear out from any Port of the said United Kingdom, or any Place or Places under the Government of His Majesty or of the said Company, situate more to the Northward than Eleven Degrees of South Latitude, and between the Sixty fourth and One hundred and fiftieth Degrees of East Longitude from *London*, until the Master or other Person having the Command of such Ship or Vessel shall have made out, and exhibited to the principal Officer of the Customs, or other Person thereto authorized by such Government as aforesaid, at such Port of Clearance, upon Oath (which Oath such Officer or other Person is hereby authorized to administer) a true and perfect List in such Form as shall from time to time be settled by the said Court of Directors, with the Approbation of the said Board of Commissioners, specifying and setting forth the Names, Capacities and Descriptions of all Persons embarked or intended to be embarked on board such Ship or Vessel, and all Arms on board, or intended to be put on board the same, or be admitted to entry at any Port in the said United Kingdom, or any such Port within the Limits last mentioned, until the Master or other Person having the Command of such Ship or Vessel shall in the like manner have made out and exhibited to the principal Officer of the Customs, or other Person thereunto authorized, as aforesaid, upon Oath (which Oath such Officer or other Person is hereby authorized to administer) a true and perfect List, in form to be settled as aforesaid, specifying the Names, Capacities and Descriptions of all Persons on board, or who shall have been on-board such Ship or Vessel, from the

No Ship in private Trade to clear out or enter without giving an attested List of Persons and Arms, and accounting for them.

time

time of the sailing thereof, to the time of Arrival; and all Arms on board, or which shall during such time have been on board such Ship or Vessel; and the several Times and Places at which such of the said Persons as may have died or left the said Ship or Vessel, shall have so died, or left such Ship or Vessel, or such of the said Arms as may have been disposed of, have been so disposed of.

Copies of Lists received in England transmitted to Secretary of Court of Directors; and received in India, to Secretary of Government.

XVI. Provided also, and be it further enacted, That in every case where any such List shall be received in any Port of the said United Kingdom, from any Master or other Person having the Command of any such Ship or Vessel, the Officer or other Person receiving the same shall, and he is hereby required, with all reasonable Dispatch, to transmit a Copy of such List to the Secretary of the Court of Directors of the said United Company; and in case such List shall be received in any Port in the *East Indies*, or other Place within the Limits last mentioned, such Officer or other Person receiving the same shall, and he is hereby required, in like manner to transmit a Copy of such List to the Chief Secretary of the Government to which the Port or Place in which such List shall be received shall be subject.

Articles of Silk, Hair and Cotton Wool, not entered or taken out of Warehouses, except for Exportation, unless brought to Port of London, and secured in Company's Warehouses; which Articles shall be publicly sold to ascertain Duties.

XVII. And be it further enacted, That no Articles manufactured of Silk, Hair or Cotton Wool, or any Mixture thereof, imported under the Authority of this Act, from any Port or Place within the Limits of the said Company's Charter, shall be entered or taken out of any Warehouse, except for Exportation, unless the same shall have been brought into the Port of *London*, and deposited in the Warehouses of the said United Company; and that for the Purpose of ascertaining the Duties payable upon all such Articles which shall be deposited in the Warehouses of the said United Company, the same shall be sold openly and publicly by Inch of Candle, or by way of Public Auction, and in no other manner, under the Order and Authority of the Court of Directors of the said Company, on the Account of the proper Owners thereof; and that when any of such Goods shall be bought in by the Owners, the whole Consignments to be bought in shall and may be delivered out to them with all convenient Speed after the Sales thereof, upon Payment of the Duties and other Charges to which the same shall be liable, without the actual Payment of the gross Prices or Sale Amount of the said Goods; and that all such Articles imported on board any such Ship, and deposited in the Warehouses of the said Company, and the Sales thereof shall be in all respects subject to the Bye-Laws of the said Company, and the several Provisions of the said Act of the Parliament of *Great Britain* of the Thirty third Year of His Majesty's Reign, made and provided for the Management of Private Trade; save only and except as is otherwise directed, provided or authorized by this Act.

33 G. 3. c. 52.

Treasury may authorize such Articles, when brought to Out Ports, to be removed to Port of London to be sold for Home Consumption.  
50 G. 3. c. 64  
§ 1.

XVIII. Provided always, and be it further enacted, That it shall and may be lawful for the Lord High Treasurer or Lords Commissioners of the Treasury for the time being, to permit any Articles manufactured of Silk, Hair, Cotton Wool or any Mixture thereof, which may have been imported under the Authority of this Act into any Part of the United Kingdom other than the Port of *London*, to be removed from such Port of Importation to the said Port of *London*, for the Purpose of Sale for Home Consumption, under such and the like Regulations as any Goods, Wares or Merchandize, may be removed from the Port in *Great Britain* where first Warehoused, to  
any

any other Warehousing Port by virtue of an Act passed in the Fiftieth Year of the Reign of His present Majesty, intituled *An Act to permit the Removal of Goods, Wares and Merchandize from the Port in Great Britain where first Warehoused, to any other Warehousing Port, for the Purpose of Exportation*: And all such Articles so removed, shall be deposited in the Warehouses of the said United Company, and sold in the same manner and under the same Regulations and Provisions, as if the same had been originally imported into the Port of London, and deposited in the Warehouses of the said United Company.

XIX. And be it further enacted, That as well in the Port of London as in all other Ports, all Articles manufactured of Silk, Hair, Cotton Wool or any Mixture thereof, which shall be imported under the Authority of this Act from any Port or Place within the Limits of the said Company's Charter, and shall be entered and taken out of any Warehouse for Exportation, shall be charged according to their Value, under all such Rules and Regulations, and subject to the same Penalties and Forfeitures as are prescribed, directed and imposed for ascertaining and collecting Duties to be paid according to Value, 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 others composing the Public 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, or by any other subsequent Act or Acts now in force.*

Such articles, when entered and taken out of Warehouses for Exportation, to be charged ad valorem.

27 G. 3. c. 13.

XX. Provided always, That nothing herein contained shall extend or be construed to extend to prevent the making, during the further Term hereby granted to the said Company, such further Provisions by Authority of Parliament as may from time to time be deemed necessary, for enabling His Majesty's Subjects to carry on Trade and Traffic directly or circuitously as well between all Ports and Places situate without the Limits of the said Company's Charter, and all Ports and Places (except the Dominions of the Emperor of China) situate within those Limits, as between the said United Kingdom, and all the last mentioned Ports and Places except as aforesaid; but without Prejudice to any of the Restrictions or Provisions herein contained, as to the Resort to and Residence of any Persons in the *East Indies* and Parts aforesaid.

Provisions for authorizing private Trade as well between Places without as within Company's Limits, as between United Kingdom and those Limits, except China.

XXI. And be it further enacted, That so much of an Act passed in the Thirty first Year of His present Majesty's Reign, intituled *An Act for indemnifying all Persons who have been concerned in advising or carrying into Execution a certain Order of Council respecting the Importation of a limited Quantity of Saltpetre; for repealing the Duties now payable upon the Importation of Saltpetre; and for granting other Duties in lieu thereof, as requires the said Company, at their public Sales to put up certain Quantities of Saltpetre at certain Rates; or to reserve and deliver into the Stores of His Majesty, his Heirs and Successors, certain Quantities of Saltpetre at certain Rates, shall be and the same is hereby repealed.*

31 G. 3. c. 42. § 7. 11. 12. repealed.

9 & 10 W. 3.  
c. 44. § 69.  
repealed.

XXII. And be it further enacted, That so much of the said Act of the Ninth Year of the Reign of King *William* the Third, or of any other Act or Acts, as requires that all Goods and Merchandize belonging to any Private Trader to the *East Indies*, which shall be imported into *England* or *Wales*, shall be sold openly and publicly by Inch of Candle, shall be and the same is hereby repealed.

33 G. 3. c. 52.  
§ 83.

XXIII. And be it further enacted, That so much of the said Acts of the Thirty third Year of His present Majesty, or either of them, as requires the Court of Directors of the said Company to lay yearly before the Board of Commissioners for the Affairs of *India*, an Invoice of the Quantities and Sorts of Cordage, Pitch and Tar, and the Number and Sizes of Masts and Spars, and the Number and Weight of Anchors exported, or intended to be exported by the said Company; or as relates to the Admission of Individuals, by Authority of the said Board of Commissioners, to export or import any Goods, Wares or Merchandize on board the said Company's Ships; or to the providing or appropriating by the said Company of Tonnage for the Private Trade; or to the Rate of Freight to be charged thereon; or to the Notices to be given to the Chief Secretary of the said Company; or to the Chief Secretary of the Presidency in *India*, by Persons intending to export or import Goods; or to the registering of Private Trade Goods, or to the granting Orders or Licences for shipping such Goods in the Ships of the said Company; or as requires One or more of the Outward-bound Ships of the said Company to touch at the Port of *Cork* between the Month of *October* and the Month of *February* in every Year; shall be, and the same is hereby repealed.

§ 83.

§ 85.

§ 87, 89.

§ 92, 93.

§ 103.

35 G. 3. (1.)  
c. 31. § 8.  
repealed.

Goods exported  
or imported by  
Company sub-  
ject to same  
Duties as those  
exported or im-  
ported in private  
Trade.

XXIV. And be it further enacted, That all Goods, Wares and Merchandize of or belonging to the said Company, exported or imported from or into any Ports or Places under the Government of the said Company in the *East Indies*, or other Places within the Limits of the said Company's Charter, shall be subject to the Payment of the like Rates, Customs and Duties of Import and Export, as the Goods, Wares and Merchandizes of the same Kinds or Sorts, exported or imported in Private Trade, under the Authority of this Act, are or shall be subject or liable to be charged with.

No Duties im-  
posed in *India*  
valid till sanc-  
tioned by Direc-  
tors, and ap-  
proved by Board  
of Control

XXV. And be it further enacted, That no new or additional Imposition of any Duty or Tax upon the Export, Import or Transit of any Goods, Wares or Merchandize whatsoever, made or to be made by Authority of the Governor General or Governor in Council, of any of the said Company's Presidencies or Settlements in the *East Indies* or Parts aforesaid, shall be valid or effectual, until the same shall have been sanctioned by the Court of Directors of the said United Company, with the Approbation of the said Board of Commissioners; which Sanction and Approbation shall be signified to the said Governments respectively by some Public Dispatch from the said Court of Directors, describing each Regulation for the Purposes aforesaid, which shall be so sanctioned and approved by its Title at full Length, and expressing that the same is so sanctioned and approved; and all such Regulations, when promulgated in the *East Indies* by the said Governments, shall contain express Mention that the same are made with the Sanction of the said Court of Directors, and with the Approbation of the said Board of Commissioners for the



the Affairs of *India*; and such Mention shall be taken as conclusive Evidence of such Sanction and Approbation in all Courts of Justice.

XXVI. And whereas, by virtue of the said Act made in the Ninth Year of King *William* the Third, the said Company were authorized to receive a Duty of Five Pounds for every Hundred Pounds of the true and real Value of all Goods, Wares and Merchandizes, of the Growth, Product or Manufacture of the *East Indies*, or other Parts within the Limits aforesaid, imported or brought into the Kingdom of *England* in Private Trade, towards defraying certain Charges in the said Act mentioned and specified: And whereas the said Company, before the passing of the said Act made in the Thirty third Year of the Reign of His present Majesty, had, over and besides the said Duty of Five Pounds *per Centum*, been accustomed to charge and receive, for their own Use, after the Rate of Two Pounds *per Centum* on the Gross Sale Amount of all Goods, Wares and Merchandize, imported into the Kingdom of *Great Britain* from the *East Indies* in Private Trade, in Recompence and Satisfaction of the Charges and Expences of unshipping and selling the same, and otherwise in the Care and Management thereof: And whereas by the first mentioned Act, made in the Thirty third Year of His present Majesty, it was enacted, that, from and after the First Day of *March* One thousand seven hundred and ninety four, the said Duty of Five Pounds *per Centum* should be repealed, and the said Charge of Two Pounds *per Centum* discontinued, and that in lieu thereof respectively, there should be rendered and paid to the said Company, during the further Term by the same Act granted to them in their exclusive Trade, a Duty or Allowance after the Rate of Three Pounds *per Centum* on the Gross Sale Amount of all Goods, Wares and Merchandizes, imported or brought into this Kingdom from the *East Indies* in Private Trade, including in such Value or Account, all Duties and Charges payable in respect thereof: Be it further enacted, That the said Duty or Allowance in respect of Goods, Wares or Merchandize, imported in Private Trade, shall be, and the same is hereby wholly repealed.

XXVII. Provided always, and be it enacted, That neither the said Repeal of the said Duty contained in the said Act of the Ninth Year of King *William* the Third, nor any thing in this Act contained, shall extend to release the Payment of the Duty or Allowance of Three Pounds *per Centum* in respect of any Articles of Silk, Hair, Cotton Wool or any Mixture thereof, which being brought into the Port of *London* by Private Merchants, Traders or other Persons, may be deposited in the Warehouses of the said United Company, nor of the said Duty of Five Pounds *per Centum*, or the said Charge of Two Pounds *per Centum*, on any Goods, Wares or Merchandize which shall be brought Home and imported in any of the Ships of the said Company or in their Service from *China*; nor to affect any Covenants or Engagements now subsisting, or hereafter to be made by or between the said Company, or on their Behalf, with the Masters or Commanders of the Company's Ships, or with any other of the Officers or Servants of the said Company, in whatever Employment or Capacity they may happen to be; but that all and every such Covenants and Agreements shall be and be held, deemed and

9 & 10 W. 3.  
c. 44. § 76.

33 G. 3. c. 52.

33 G. 3. c. 52.  
§ 99.

Duty to Com-  
pany repealed.

9 & 10 W. 3.  
c. 44. § 76.  
Proviso for  
Goods imported  
into Port of  
*London* and de-  
posited in Com-  
pany's Ware-  
houses, and for  
Imports from  
*China*; not to  
affect Engage-  
ments of Com-  
pany with Cap-  
tains and  
Officers.

taken to be of the same Force and Effect as if the said Repeal had not been enacted, or this Act been made; the said Repeal or any other Matter or Thing to the contrary notwithstanding.

XXVIII. And, for more effectually securing to the *East India Dock Company* the Rates and Duties granted and made payable to them by Two several Acts, one passed in the Forty third Year of His present Majesty, intituled *An Act for the further Improvement of the Port of London, by making Docks and other Works at Blackwall, for the Accommodation of the East India Shipping in the said Port*; and the other passed in the Forty sixth Year of the Reign of His present Majesty, intituled *An Act for altering and enlarging the Powers of an Act made in the Forty third Year of the Reign of His present Majesty, for the further Improvement of the Port of London, by making Docks and other Works at Blackwall, for the Accommodation of the East India Shipping in the said Port*, be it further enacted, That all the Rates and Duties by the said Acts granted and made payable to the *East India Dock Company*, for or in respect of any Goods, Wares or Merchandize, shall be fully adjusted, settled and paid to the said *East India Dock Company*, or their Collectors or Receivers, before such Goods, Wares or Merchandize, shall be delivered to the Owner or Owners, or Consignee or Consignees thereof.

Rates to E. I. Dock Company paid before Goods delivered to Owners or Consignees.

If Rates on Goods not paid to E. I. Dock Company before unloading, they may be sent to the E. I. Company's Warehouses to be sold, and Rates deducted from Purchase Money.

XXIX. Provided always, and be it further enacted, That in case any Goods, Wares or Merchandize, shall be cleared or discharged from any Ship or Vessel before the Rates and Duties payable to the said *East India Dock Company* in respect of the same shall have been fully discharged, then it shall be lawful for the said *East India Dock Company* to cause such Goods, Wares or Merchandize, to be sent to and deposited in the Warehouses of the said United Company, and to be sold under the Order and Authority of the Court of Directors of the said Company, on the Account of the proper Owners thereof; and the Rates and Duties payable to the said *East India Dock Company* in respect of the same, and the reasonable Expences of sending and depositing the same as aforesaid, shall be deducted and paid to the said *East India Dock Company*, their Receivers or Collectors, in such manner as is directed by the said Act of the Forty third Year of His present Majesty, with respect to the Rates or Duties thereby made payable; any thing hereinbefore contained to the contrary thereof in any wise notwithstanding.

43 G. 3. c. cxxvi.

35 G. 3. c. 115. § 1.

‘ XXX. And whereas by an Act passed in the Thirty fifth Year of His Majesty's Reign, intituled *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*, it was enacted, that if, during the Continuance of the then present War, and for Eighteen Months after the Conclusion thereof, any Ship freighted by the said United Company with the Approbation of the said Board of Commissioners, with Home Investment of Goods from *India* or *China* or other Ports within the Limits of the said Company's Trade, should arrive in the Ports of *Great Britain*, it should and might 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 authorize the Importation and Entry of such Goods,

• Goods, subject to the like Duties and no other, as if they were im-  
 • ported in *British*-built Ships, though such Goods should be brought  
 • in Ships which might not be *British*-built, nor have been registered  
 • as *British*-built Ships, nor navigated as required by the Laws then  
 • in force; provided the said Ships should have been built within the  
 • Territories belonging to the said United 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 *Great Britain*  
 • 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 Merchandize whatso-  
 • ever, Ordnance and Military Stores excepted; and it was thereby  
 • further enacted, that such Ships should not be liable to Forfeit- § 2.  
 • ure, nor should any Persons whatever be liable to any Penalty or  
 • Forfeiture on account of any Importation of Goods, Wares or  
 • Merchandize, in pursuance of the said Act, or of any Order or  
 • Orders of His Majesty in Council, which might be issued in virtue  
 • thereof: And whereas by an Act passed in the Forty second 42 G. 3. c. 20.  
 • Year of His Majesty's Reign, intituled *An Act for making*  
 • *perpetual so much of an Act made in the Nineteenth Year of the*  
 • *Reign of His present Majesty, as relates to the allowing a Draw-*  
 • *back of the Duties of Rum shipped as Stores to be consumed on board*  
 • *Merchant Ships on their Voyages; and to continue several Laws*  
 • *relating to the permitting the Exportation of Tobacco Pipe Clay from*  
 • *Great Britain to the British Sugar Colonies in the West Indies, until*  
 • *the Twenty fourth Day of June One thousand eight hundred and*  
 • *eight; to the giving further Encouragement to the Importation of*  
 • *Naval Stores from the British Colonies in America, until the Twenty*  
 • *ninth Day of September One thousand eight hundred and twelve;*  
 • *to the regulating the Payment of the Duties on Cinnamon, Cloves,*  
 • *Nutmegs and Mace; to the allowing the Importation of certain Fish*  
 • *from Newfoundland and the Coast of Labrador, until the Twenty*  
 • *fourth Day of June One thousand eight hundred and eight; and to*  
 • *the allowing the Importation and Exportation of Goods from and to*  
 • *India and China, in Ships not of British built, during the Continuance*  
 • *of the exclusive Trade to and from the East Indies, granted to the*  
 • *East India Company by an Act of the Thirty third Year of His*  
 • *present Majesty's Reign, the said Act of the Thirty fifth Year of*  
 • *His Majesty's Reign was further continued during the Term*  
 • *granted to the said United Company, by the said Act of the*  
 • *Parliament of Great Britain, of the Thirty third Year of His*  
 • *Majesty's Reign;* Be it enacted, That the same shall continue  
 • and be in force until the First Day of *August* One thousand eight  
 • hundred and fourteen, unless any Provision shall be made respect-  
 • ing the same in the next Session of Parliament; and that it shall  
 • and may be lawful for His Majesty during such time, by any Order  
 • or Orders in Council to be made for that Purpose, to authorize  
 • any of His Majesty's Subjects to import into the said United King-  
 • dom from the *East Indies*, and other Places within the Limits of the  
 • said Company's Charter, save and except the Dominions of the Em-  
 • peror of *China*; paying the like Duties only as if such Importation  
 • were made in *British* Ships; and to export from the said United  
 • Kingdom to the *East Indies*, and Places aforesaid, save and except as  
 • aforesaid, Goods, Wares and Merchandize, except Tea, in all such

§ 6.

His Majesty in  
 Council may au-  
 thorize private  
 Traders to use  
 India-built Ships,  
 for like Term.

## Proviso.

Ships so authorized not liable to Forfeiture.

Ships engaged in Southern Whale Fishery may sail between Cape of Good Hope, and Streights of Magellan: 35 G. 3. c. 92. But to have Licences for certain Limits, from Board of Controul. No such Ship under 350 Tons, to sail without Licence from Board. South Sea Whalers not to go to certain Places without Licence from Directors.

Ships as above mentioned, subject to such Regulations and Conditions as His Majesty shall think fit; any Act, Matter or Thing to the contrary notwithstanding: Provided always, that all Ships which may have commenced their Voyage from *India* at any time before the Expiration of One Year from the passing of this Act shall be deemed and taken to be equally entitled to the Benefit of the Provisions hereinbefore contained as if such Ships had arrived in any Port of the United Kingdom during the said Twelve Months.

XXXI. And be it further enacted, 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 or Exportation of any 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.

XXXII. And whereas it is necessary to encourage the Fishery carried on to the Southward of the *Greenland Seas* and *Davis's Streights*, by extending the Limits now prescribed for the same; Be it enacted, That it shall and may be lawful for any Ship or Vessel fitted and clearing out conformably to an Act passed in the Thirty fifth Year of His Majesty's Reign, intituled *An Act for the further encouraging and regulating the Southern Whale Fisheries*, to sail and pass for the Purpose aforesaid, in all the Seas to the Eastward of the *Cape of Good Hope*, and in all the Seas to the Westward of the *Streights of Magellan*: Provided always, that no such Ship or Vessel shall sail or pass in any Seas further to the Northward than Eleven Degrees of South Latitude, and between the Sixty fourth and One hundred and fiftieth Degrees of East Longitude from *London*, without a Licence from the said Board of Commissioners for the Affairs of *India*, specially authorizing such Ship or Vessel so to proceed: Provided also, that no such Ship or Vessel, the registered Measurement whereof shall be less than Three hundred and fifty Tons, shall sail or pass in any of the Seas to the Eastward of the *Cape of Good Hope*, or to the Westward of the *Streights of Magellan*, without a Licence from the said Board of Commissioners, specially authorizing the same: Provided also, that it shall not be lawful for any such Ship or Vessel to go to, touch or stay at any Port or Place upon the Continent of *Asia*, from the River *Indus* to the said Town of *Malacca* inclusive, or any Island under the Government of the said Company to the North of the Equator, nor the said Company's Factory at *Bencoolen* or its Dependencies, nor the Dominions of the Emperor of *China*, without a Licence in Writing from the said Court of Directors of the said United Company specially authorizing the same.

XXXIII. And whereas it is the Duty of this Country to promote the Interest and Happiness of the Native Inhabitants of the *British* Dominions in *India*; and such Measures ought to be adopted as may tend to the Introduction among them of useful Knowledge, and of religious and moral Improvement; and in furtherance of the above Objects, sufficient Facilities ought to be afforded by Law to Persons desirous of going to and remaining in *India*, for the Purpose of accomplishing those benevolent Designs so as the Authority of the Local Governments respecting the Intercourse of *Europeans* with the Interior of the Country be preserved, and the Principles of the *British* Government, on which

‘ which the Natives of *India* have hitherto relied for the free Exercise of their Religion, be inviolably maintained: And whereas it is expedient to make Provision for granting Permission to Persons desirous of going to and remaining in *India* for the above Purposes, and also to Persons desirous of going to and remaining there for other lawful Purposes;’ Be it therefore enacted, That when and as often as any Application shall be made to the said Court of Directors, for or on Behalf of any Person or Persons desirous of proceeding to the *East Indies* for Permission so to do, the said Court shall, unless they shall think fit to comply therewith, transmit every such Application within One Month from the Receipt thereof to the said Board of Commissioners for the Affairs of *India*; and in case the said Commissioners shall not see any sufficient Objection thereto, it shall and may be lawful for the said Commissioners to direct that such Person or Persons shall, at his or their own special Charge, be permitted to proceed to any of the said Principal Settlements of the said Company, and that such Person or Persons shall be furnished by the said Court of Directors with a Certificate or Certificates, according to such Form as the said Commissioners shall prescribe, signifying that such Person or Persons hath or have so proceeded with the Cognizance and under the Sanction of the said Court of Directors; and that all such Certificates shall entitle the Persons obtaining the same so long as they shall properly conduct themselves, to the Countenance and Protection of the several Governments of the said Company in the *East Indies* and Parts aforesaid, in their respective Pursuits, subject to all such Provisions and Restrictions as are now in force, or may hereafter be judged necessary, with regard to Persons residing in *India*.

When Court of Directors refuse Permission to Persons to proceed to *East Indies*, Applications transmitted to Board; who may direct Certificates to be granted by Directors authorizing such Persons to proceed to any of the Principal Settlements.

Directors may make Representations thereon to Board.

All Persons subject to Regulations of Local Governments.

Governments in *India* may declare Certificates and Licences void if it shall appear to them that the Persons, to whom granted, have forfeited their Claim to Protection. Limitation of Prosecutions for residing without a Licence.

XXXIV. Provided always, That nothing herein contained shall extend or be construed to extend to restrict or prohibit the said Court of Directors from offering such Representations to the said Board of Commissioners, respecting Persons applying for Permission to proceed to the *East Indies*, as the said Court of Directors may at any time think fit.

XXXV. Provided also, and be it further enacted, That all Persons who shall proceed to the *East Indies* shall upon their Arrival at any Place within the Limits of the said United Company's Government, be subject to all such Rules and Regulations, as now are or hereafter may be in force within those Limits.

XXXVI. Provided also, and be it further enacted, That if any Person having obtained a Certificate or Licence from the said Court of Directors, authorizing such Person to proceed to the *East Indies*, shall at any time so conduct himself as in the Judgment of the Governor General or Governor of the Presidency within which such Person shall be found, to have forfeited his Claim to the Countenance and Protection of the Government of such Presidency, it shall and may be lawful for such Governor General or Governor, by Order, to declare that the Certificate or Licence so obtained by such Person shall be void from a Day to be named in such Order; and from and after such Day so to be named in such Order, such Person shall be deemed and taken to be a Person residing and being in the *East Indies* without Licence or Authority for that Purpose, and may be sent forthwith to the United Kingdom; any matter or thing whatsoever to the contrary notwithstanding: Provided nevertheless, that no

Person whose Certificate or Licence shall have been so vacated by Order of any of the Governments of the said Company as aforesaid, shall be subject or liable to any Prosecution for residing or being found in the *East Indies* without Licence or Authority for that Purpose, until Two Months after Notice of such Order shall have been given to such Person, by Delivery to such Person of a Copy thereof, or by leaving the same at the last Place of Abode of such Person, or by Publication of such Order in the *Gazette* of the Presidency where such Order shall be made.

**Governments in India not to sanction Residence without Authority of Directors, except under Special Circumstances.**

XXXVII. And be it further enacted, That it shall not be lawful for any of the Governments of the said Company at their several Presidencies to licence or otherwise authorise the Residence at any Place or Places within the Limits of the said Company's Governments, of any Subject of His Majesty, who shall go thereto after the Tenth Day of *April* One thousand eight hundred and fourteen, unless such Person shall have been previously furnished with a Licence or Certificate from the Court of Directors of the said Company or have otherwise been authorised by Law to reside within the said Limits: Provided nevertheless, that any Governor General or Governor of any of the said Presidencies, for extraordinary Reasons to be entered upon the Minutes of Council, may authorise by Special Licence the Residence of any Subject of His Majesty in any Place or Places under the Government of such Presidency, until the Pleasure of the said Court of Directors shall be known in that Behalf; and that such Special Licence shall be deemed and taken to be of the same Force and Effect as a Licence of and from the said Court of Directors, until Notice of the Pleasure of the said Court to the contrary shall have been given to such Person, by Delivery thereof to such Person, or by leaving the same at his last Place of Abode, or by Publication thereof in the *Gazette* of the Presidency by which such Special Licence shall have been granted: Provided that a Copy of such Licence, and of the Reasons for granting the same, accompanied with an Application for a Licence from the said Court of Directors, shall be transmitted to the said Court of Directors forthwith after the granting thereof.

**Proviso.**

**Board of Control may authorize any Persons to proceed to and reside except within certain Limits of Charter.**

XXXVIII. And be it further enacted, That it shall and may be lawful for the said Board of Commissioners for the Affairs of *India*, by Licence in Writing for that Purpose, upon such Terms and Conditions as they may think fit, to authorize any Person or Persons to proceed to and reside at any Place or Places situate more to the Northward than Eleven Degrees of South Latitude, and between the Sixty fourth and One hundred and fiftieth Degrees of East Longitude from *London*, and not being upon the Continent of *Afia*, between the River *Indus* and the Town of *Malacca* inclusive; nor in any Island under the Government of the said Company lying to the Northward of the Equator; nor at the said Company's Factory at *Bencoolen*, nor its Dependencies; nor within the Dominions of the Emperor of *China*; any Act, Matter or Thing whatsoever to the contrary notwithstanding.

**His Majesty's Subjects authorized to go to and reside at Places within certain Limits without Licence.**

XXXIX. And be it further enacted, That it shall and may be lawful for any Subjects of His Majesty to proceed to and reside at any Place or Places situate more to the Southward than Eleven Degrees of South Latitude, or more to the Westward than Sixty four Degrees, or more to the Eastward than One hundred and fifty Degrees

Degrees of East Longitude from *London*, for any lawful Purposes without any Licence whatsoever; any thing in this or any other Act, or in any Charter contained to the contrary notwithstanding.

**XL.** And be it further enacted, That if any of the Subjects of His Majesty, his Heirs or Successors, of or belonging to any of His Majesty's Dominions situate without the *East Indies* and Limits of the said Company's Charter, other than such as shall be licensed by the said United Company, or otherwise thereunto lawfully authorized, shall at any time before the Determination of the further Term hereby granted to the said Company, directly or indirectly, sail to, visit, haunt, frequent, trade, traffick or adventure to, in or from the *East Indies* or Parts aforesaid, or go, sail or repair thereto, or be found therein, in any other manner than is prescribed or allowed by the Provisions of this Act, and the Terms and Conditions of any Licence or Certificate to be granted by virtue thereof, all and every such Person and Persons shall be deemed and taken to have unlawfully traded and trafficked there; and all such Persons, and all Ships and Vessels found in the Custody of any such Person or Persons, or engaged or concerned in such unlawful Trade or Traffick, and the Owners, Masters and Crews thereof, and all Goods, Merchandize, Treasure and Effects shipped or laden thereon, or taken out of the same, or found in the Custody of any such Person or Persons, shall be subject and liable to all such and the like Pains, Penalties, Forfeitures, Disabilities and Methods of Suit, as are contained in the said Acts of the Thirty third Year of His present Majesty, or either of them, or in any Act or Acts now in force, and which Pains, Penalties, Forfeitures, Disabilities and Methods of Suit, were enacted for the Purpose of securing to the said Company the sole and exclusive Right of trading to the *East Indies*, and other Parts within the Limits of their Charter, during the Continuance of such sole and exclusive Right, and of restraining clandestine and illicit Trade, in, to and from the *East Indies* and Parts aforesaid; and all such and the like Powers, Provisions, Clauses, Matters and Things as are contained in the said Acts of the Thirty third Year of His present Majesty, or either of them, or in any Act or Acts now in force, and which were enacted for the Purpose aforesaid, shall be deemed and taken to be in force, and to apply to all such unlawful Trade and Traffick as aforesaid, contrary to the Provisions of this Act, or of the Terms and Conditions of any Licence or Certificate to be granted by virtue thereof, and shall be put in Execution during the further Term hereby granted to the said Company, for the Purpose of preventing any such unlawful Trade or Traffick, as fully and effectually as if the same Powers, Provisions, Clauses, Matters and Things were severally repeated at large, and re-enacted in the Body of this Act, and applied to and for the Purpose last aforesaid.

**XLI.** Provided always, and be it enacted, That if any Ship or Vessels shall happen by Strefs of Weather or other inevitable Accident to be driven or forced more to the Northward than Eleven Degrees South Latitude, and between the Sixty fourth and One hundred and fiftieth Degrees of East Longitude from *London*, and being driven or so forced shall return within the said Limits with as much convenient Speed as the Safety of such Ship or Vessel or other circumstances will admit, such Ship or Vessels shall not, nor shall any of the Goods, Merchandize, Treasure or Effects shipped or laden on board the same,

Unlicensed Persons trading to or going within Limits of Company's Charter, otherwise than as allowed by Act, subject to Penalties imposed on illicit Traders.

33 G. 3. c. 52.  
§ 129, 130.  
33 G. 3. (1.)  
c. 31. § 25, 26.

Ships driven by Strefs of Weather or other inevitable Accident within prescribed Limits, not liable to Forfeiture.

Onus Probandi.

Colleges and  
Seminaries  
Abroad subject  
to Controul of  
Board.

Provision for  
Schools, Public  
Lectures or  
other Literary  
Institutions for  
Benefit of Na-  
tives; regulated  
by Governor  
General in  
Council, subject  
to Controul of  
Board; but  
Appointments to  
Offices therein  
made by Local  
Governments.

same, be subject to Forfeiture, nor shall the Owners, Master or Crew thereof, or any other Person on board the same, be liable to any of the Pains, Penalties, Forfeitures or Disabilities hereinbefore mentioned, on account of being or having been within the said Limits: Provided nevertheless, that the Proof of such Ship or Vessels having been driven or forced beyond the said Limits by Strefs of Weather or other inevitable Accident, and of having returned within the said Limits with as much convenient Speed as the Safety of the said Ship or Vessel or other circumstances would admit, shall lie on the Party claiming the Benefit of such Exemption; any thing in this or any other Act contained to the contrary notwithstanding.

XLII. And be it further enacted, That the said Board of Commissioners for the Affairs of *India*, by force and virtue of this Act, shall have and be invested with full Power and Authority to superintend, direct and controul all Orders and Instructions whatsoever, which in any wise relate to or concern any Rules, Regulations or Establishments whatsoever of the several Colleges established by the said Company at *Calcutta* or *Fort Saint George*, or of any Seminaries which may be established under the Authority of any of the Governments of the said Company, in the same manner, to all Intents and Purposes, and under and subject to all such and the like Regulations and Provisions, as if such Orders and Instructions immediately related to and concerned the Government and Revenues of the said Territorial Acquisitions in the *East Indies*.

XLIII. And be it further enacted, That it shall and may be lawful for the Governor General in Council to direct, that out of any Surplus which may remain of the Rents, Revenues and Profits, arising from the said Territorial Acquisitions, after defraying the Expences of the Military, Civil and Commercial Establishments, and paying the Interest of the Debt, in manner hereinafter provided, a Sum of not less than One Lack of Rupees in each Year shall be set apart and applied to the Revival and Improvement of Literature and the Encouragement of the learned Natives of *India*, and for the Introduction and Promotion of a Knowledge of the Sciences among the Inhabitants of the *British* Territories in *India*; and that any Schools, Public Lectures or other Institutions, for the Purposes aforesaid, which shall be founded at the Presidencies of *Fort William*, *Fort Saint George* or *Bombay*, or in any other Parts of the *British* Territories in *India*, in virtue of this Act, shall be governed by such Regulations as may from time to time be made by the said Governor General in Council; subject nevertheless to such Powers as are herein vested in the said Board of Commissioners for the Affairs of *India*, respecting Colleges and Seminaries: Provided always, that all Appointments to Offices in such Schools, Lectureships and other Institutions, shall be made by or under the Authority of the Governments within which the same shall be situated.

XLIV. And whereas the said United Company have lately established, in *England*, a College, for the appropriate Education of young Men designed for their Civil Service in *India*, and also a Military Seminary for the appropriate Education of young Men designed for their Military Service in *India*: And whereas it is expedient that the said College and Military Seminary should be further continued and maintained, and that proper Rules and Regulations should be constituted and established by Authority



of Law, for the good Government of the said College and Military Seminary respectively; Be it therefore enacted, That the said College and Military Seminary shall be continued and maintained by the said United Company during the further Term hereby granted to the said Company; and that it shall and may be lawful for the said Court of Directors, and they are hereby required, forthwith, after the passing of this Act, to frame such Rules and Regulations for the good Government of the said College and Military Seminary respectively, as in their Judgment shall appear best adapted to the Purposes aforesaid; and to lay the same before the Board of Commissioners for the Affairs of India, for their Revival and Approbation, who shall thereupon proceed to consider the same, and shall and may make such Alterations therein and Additions thereto as they shall think fit; nevertheless, all such Rules and Regulations shall and may be subject to such future Revision and Alteration by the said Court of Directors, with the Approbation of the said Board, as circumstances may from time to time require in that behalf; and all such Rules and Regulations so framed, approved, revived or altered, shall be deemed and taken to be good and valid in Law, and shall be binding and effectual upon all Persons and in all Matters belonging or relating to the said College and Military Seminary respectively; any Law, Charter or other Matter or Thing to the contrary notwithstanding: Provided always, that nothing herein contained shall prevent the said Court of Directors from making such Representation, with respect to any Alterations in or Additions to such Rules and Regulations which may be made by the said Board of Commissioners, as the said Court of Directors shall at any time think fit.

XLV. And be it further enacted, That, from and after the passing of this Act, it shall and may be lawful for the Lord Bishop of London for the time being, to have and exercise, and he is hereby authorized and empowered to have and exercise such Visitatorial Power and Jurisdiction over all such Persons, Matters and Things, belonging or relating to the said College, and in such manner, as shall be appointed and established by the said Rules and Regulations of the said College in that behalf; any matter or thing whatsoever to the contrary notwithstanding.

XLVI. And be it further enacted, That it shall not be lawful for the said Court of Directors to nominate, appoint or send to the Presidencies of Fort William, Fort Saint George or Bombay, any Person in the Capacity of a Writer, unless such Person shall have been duly entered at such College, and have resided there Four Terms, according to the Rules and Regulations thereof; and shall also produce to the said Court of Directors a Certificate under the Hand of the Principal of the said College, testifying that he has, for the Space of Four Terms, been a Member of and duly conformed himself to the Rules and Regulations of the said College.

XLVII. And be it further enacted, That no Order for the Establishment of any Office, or the Appointment of any Person to fill the Situation of Principal at the said College, or Head Master of the Military Seminary, shall be valid or effectual until the same shall have been approved by the said Board of Commissioners for the Affairs of India.

XLVIII. And whereas for the due Performance of the public Duties of Religion at the said College, as well as for the Maintenance

College and Military Seminary in England, continued; and Directors, with Approbation of Board, to make Rules and Regulations for same.

Directors may make Representations, respecting Alterations or Additions by Board.

Bishop of London; don to exercise Visitatorial Jurisdiction.

Person appointed Writer, to have kept Four Terms at College, and produce Certificate of Conformity.

Establishments in College &c. subject to Board.

Principal, and Professors, exempted from Parochial Residence.

43 G. 3. c. 84. § 19.

‘ tenance of sound Learning and religious Education, it is expedient  
 ‘ that the Principal and some of the Professors of the said College  
 ‘ should be Clergymen of the Established Church: And whereas  
 ‘ it may be expected, that among Clergymen best qualified for such  
 ‘ Situations, from their Character and Attainments, some may be  
 ‘ possessed of Benefices in the Church;’ Be it enacted, That every  
 Spiritual Person holding the Situation of Principal or Professor in the  
 said College, and actually performing the Duties of the same, shall be  
 and he is hereby exempted from Residence on any Benefice of which  
 he may be possessed, in the same manner as the Spiritual Persons specified  
 in an Act passed in the Forty third Year of His present Majesty’s  
 Reign, intituled *An Act to amend the Laws relating to Spiritual Persons  
 holding of Farms; and for enforcing the Residence of Spiritual Persons  
 on their Benefices in England*, are by the said Act exempted from  
 Residence on their respective Benefices; any Act, Matter or Thing  
 to the contrary notwithstanding.

‘ XLIX. And whereas no sufficient Provision hath hitherto been  
 ‘ made for the Maintenance and Support of a Church Establishment  
 ‘ in the *British* Territories in the *East Indies* and other Parts within  
 ‘ the Limits of the said Company’s Charter;’ Be it therefore enacted,  
 That in case it shall please His Majesty, by his Royal Letters Patent  
 under the Great Seal of the said United Kingdom, to erect, found  
 and constitute, One Bishoprick for the whole of the said *British*  
 Territories in the *East Indies*, and Parts aforesaid; One Arch-  
 deaconry for the Presidency of *Fort William in Bengal*; One Arch-  
 deaconry for the Presidency of *Fort Saint George* on the Coast of  
*Coromandel*; and One Archdeaconry for the Presidency and Island of  
*Bombay*, on the Coast of *Malabar*; and from time to time to  
 nominate and appoint a Bishop and Archdeacons to such Bishoprick  
 and Archdeaconries respectively; the Court of Directors of the said  
 Company, during such time as the said Territorial Acquisitions shall  
 remain in the Possession of the said Company, shall, and they are  
 hereby required to direct and cause to be paid, certain established  
 Salaries to such Bishop and Archdeacons respectively; that is to  
 say, from and out of the Revenues of the said Presidency of *Fort  
 William in Bengal* to the said Bishop, Five thousand Pounds by the  
 Year, at an Exchange of Two Shillings for the *Bengal Current  
 Rupee*; and to the said Archdeacon of the said Presidency of *Fort  
 William*, Two thousand Pounds by the Year, at the like Exchange;  
 and from and out of the Revenues of the Presidency of *Fort Saint  
 George*, on the Coast of *Coromandel*, to the Archdeacon of the said  
 Presidency of *Fort Saint George*, Two thousand Pounds by the  
 Year, at an Exchange of Eight Shillings for the Pagoda at *Madras*;  
 and from and out of the Revenues of the Presidency and Island of  
*Bombay*, on the Coast of *Malabar*, to the Archdeacon of the said  
 Presidency and Island of *Bombay*, Two thousand Pounds by the Year,  
 at an Exchange of Two Shillings and Three pence for the *Bombay  
 Rupee*.

L. And be it further enacted, That the said Salaries shall take  
 place and commence from and after the time at which such Persons as  
 shall be appointed to the said Offices respectively, shall take upon them  
 the Execution of their respective Offices; and that all such Salaries  
 shall be in lieu of all Fees of Office, Perquisites, Emoluments and  
 Advantages whatsoever; and that no Fees of Office, Perquisites,  
 Emolu-

Salaries to com-  
 mence on taking  
 Office, and to  
 cease when  
 Functions cease.

Emoluments or Advantages whatsoever, shall be accepted, received or taken, in any manner or on any Account or Pretence whatsoever, other than the Salaries aforesaid; and that such Bishop and Archdeacons respectively shall be entitled to such Salaries so long as they shall respectively exercise the Functions of their several Offices in the *East Indies*, or Parts aforesaid, and no longer.

LI. Provided always, and be it further enacted, That such Bishop shall not have or use any Jurisdiction, or exercise any Episcopal Functions whatsoever, either in the *East Indies* or elsewhere, but only such Jurisdiction and Functions as shall or may from time to time be limited to him by His Majesty by Letters Patent under the Great Seal of the United Kingdom.

Bishop to have no Jurisdiction or Functions, except such as may be limited by Letters Patent.

LII. And be it further enacted, That it shall and may be lawful for His Majesty, from time to time, if he shall think fit, by his Letters Patent under the Great Seal of the said United Kingdom, to grant to such Bishop so to be nominated and appointed as aforesaid, such Ecclesiastical Jurisdiction, and the Exercise of such Episcopal Functions, within the *East Indies* and Parts aforesaid, as His Majesty shall think necessary for the administering Holy Ceremonies, and for the Superintendence and good Government of the Ministers of the Church Establishment within the *East Indies* and Parts aforesaid; any Law, Charter or other Matter or Thing to the contrary notwithstanding.

His Majesty may grant to Bishop, by Letters Patent, such Ecclesiastical Jurisdiction as he may think necessary.

LIII. And be it further enacted, That when and as often as it shall please His Majesty to issue any Letters Patent respecting any such Bishoprick or Archdeaconry as aforesaid, or for the Nomination or Appointment of any Person thereto, the Warrant for the Bill in every such case shall be countersigned by the President of the Board of Commissioners for the Affairs of *India*.

Warrant for Letters Patent countersigned by President of Board.

LIV. And be it further enacted, That it shall and may be lawful for His Majesty, by Warrant under his Royal Sign Manual, countersigned by the Chancellor of the Exchequer for the time being, to grant to any such Bishop and Archdeacons respectively, who shall have exercised in the *East Indies* or Parts aforesaid, for Fifteen Years, the Office or Offices of Bishop or Archdeacon, or either of them, the following Pensions; that is to say, to any such Bishop, a Pension not exceeding Fifteen Hundred Pounds *per Annum*, and to any such Archdeacon, a Pension not exceeding Eight hundred Pounds *per Annum*; which said Pension shall be paid and defrayed quarterly by the said Company, and shall be deemed and taken as Part of the Political Charges of the said Company.

His Majesty may grant Pensions to Bishops and Archdeacons who have discharged Functions in *India* for Fifteen Years.

LV. And be it further enacted, That, for and during the Continuance of the Possession and Government of the said Territorial Acquisitions and Revenues in the said United Company, the Rents, Revenues and Profits arising from the said Territorial Acquisitions, after defraying the Charges and Expences of collecting the same, shall be applied and disposed of to and for the Uses and Purposes hereinafter expressed, in the following Order of Preference, and to or for no other Use or Purpose, or in any other manner whatsoever, any Act or Acts of Parliament now in force to the contrary notwithstanding; that is to say, in the first place, in defraying all the Charges and Expences of raising and maintaining the Forces, as well European as Native, Military, Artillery and Marine, on the Establishments in the *East Indies* and Parts aforesaid, and of maintaining the Forts and

Application of Revenues arising from Territorial Acquisitions in *India*.

In maintaining Forces;

Garrisons

In Payment of Interest of Indian Debt ;

In defraying Expences of Establishments ; Towards Liquidation of Territorial or Bond Debt, &c.

A Sum equal to Payments from Commercial Funds at Home on account of Territorial Charges annually applied in India to Investment or Remittance, &c.

Application of Profits of Company in Great Britain :

In paying Bills of Exchange ; In paying Debts ; except Principal of Bond Debt ;

In Payment of Dividend of Ten per Cent. till separate Fund exhausted, and then 10½ per Cent.

Garrisons there, and providing Warlike and Naval Stores : Secondly, in Payment of the Interest accruing on the Debts owing, or which may be hereafter incurred by the said Company in the *East Indies*, or Parts aforesaid, including that Portion thereof, for which Bills shall be demanded, payable in *England*, and for which Provision shall at all times be made by Consignments or Remittances to *England*, as the said Court of Directors, with the Approbation of the said Commissioners for the Affairs of *India*, shall from time to time direct : Thirdly, in defraying the Civil and Commercial Establishments of the said Company, at their several Settlements there : Fourthly, towards the Liquidation of the Territorial Debt of the said Company, or of the Bond Debt at Home, or to such other Purposes, subject to the Provision hereinafter made, as the said Court of Directors, with the Approbation of the Board of Commissioners for the Affairs of *India*, shall from time to time direct ; any Act or Acts of Parliament to the contrary thereof notwithstanding.

‘ LVI. And whereas it is not reasonable that the Commercial Funds of the said Company should be exposed to Embarrassment by ‘ Payments made in *Europe* on account of Territorial Charges ;’ Be it therefore enacted, That a Sum equal to the actual Payments which shall have been made from the Commercial Funds at Home on account of Territorial Charges in the Year preceding, after deducting therefrom the Charges of the Commercial Establishments, and all the Commercial Charges in *India*, which may have been paid from the Territorial Revenues in the same Year, shall in each and every Year be issued in *India*, for the Purpose of the said Company’s *Cbina* or *India* Investment ; or of Remittance to *England* on account of the said Company, at the Option of the said Court of Directors : Provided always, that any Excess which may happen to be so issued in any Year, for the Purposes of Investment, beyond the actual Payment which shall have been made in the same Year by the said Company in *Europe*, on account of Territorial Charges, shall be taken into account in Diminution of the Sum to be applied to the Purposes of Investment for the Year following.

LVII. And be it further enacted, That, for and during the Continuance of the Possession and Government of the said Territorial Acquisitions and Revenues in the said United Company, the net Proceeds of their Sales of Goods at Home, with the Duties and Allowances arising by Private Trade, and all the Commercial Profits and other Receipts of the said Company in *Great Britain*, shall be applied and disposed of in manner following ; that is to say, First, in providing for the Payment of Bills of Exchange already accepted and hereafter to be accepted by the said Company, as the same shall become due ; Secondly, in providing for the Current Payment of other Debts (the Principal of the Bond Debt in *England* always excepted) as well as Interest, and the Commercial Outgoings, Charges and Expences of the said Company ; Thirdly, in Payment of a Dividend after the Rate of Ten Pounds *per Centum per Annum* on the present or any future Amount of the Capital Stock of the said Company for and during such time as a certain Fund of the said Company hereinafter mentioned, called ‘ The Company’s Separate Fund,’ shall be sufficient to pay a Dividend after the Rate of Ten Shillings for every Hundred Pounds *per Annum* on the present or any future Amount of the Capital Stock of the said Company ; and when  
and

and so soon as the said last mentioned Fund shall be exhausted, then in Payment of a Dividend at the Rate of Ten Pounds Ten Shillings *per Centum per Annum* on the then existing or future Capital Stock of the said Company; provided that no greater Dividend shall be paid in the Whole, in any One Year, than at the said Rate of Ten Pounds Ten Shillings *per Centum per Annum* upon the present or future Capital Stock of the said Company: Fourthly, in Reduction of the Principal of the Debt in the *East Indies*, or Parts aforesaid, or of the Bond Debt at Home, as the said Court of Directors, with the Approbation of the said Board of Commissioners, shall from time to time direct; any Act or Acts of Parliament to the contrary notwithstanding.

In Reduction of Indian Debt, or Bond Debt at Home.

Home Profits not liable to Territorial Charges, till after Dividend provided for; except to Bills and Certificates for Value received in India, and to Interest and Sinking Fund on Loan of 1812, from Public to Company.

52 G. 3. c. 135. § 7, 8.

If Home Fund insufficient after Dividend to discharge Bills drawn for Interest of existing Indian Debt, Deficiency paid as Parliament shall direct. Monies received at Home on Credit of Bills drawn on Territorial Funds or for Advances in India, applied to Payment of liable Territorial Charges in Europe.

LVIII. And whereas it is not reasonable that the Company's Commercial Profits should be liable annually to the Payment in Europe of Territorial Charges, till the said Dividend, after the Rate of Ten Pounds and Ten Shillings *per Centum per Annum* shall have been paid and discharged; Be it therefore provided and enacted, That the net Proceeds of the Sales of Goods, and other Commercial Profits of the Company in *Great Britain* as aforesaid, shall not be liable to the Liquidation of any Charge on account of the Territorial or Political Government of *India* payable in *England*, or of any Bills of Exchange or Certificates drawn on account of the Territorial or Political Charge in *India*, till after the Dividend on the Capital Stock of the said Company shall first have been provided for; excepting always such Bills and Certificates for the Amount of which Value shall have been previously paid in *India* from the Territorial or Political Funds, and Consignments or Remittances made thereof to *England*, for the Liquidation of the said Bills and Certificates; excepting likewise the Amount of the Interest and Sinking Fund on the Loan advanced by the Public to the said Company, as provided in an Act passed in the Fifty second Year of His present Majesty, intituled *An Act for advancing Two millions five hundred thousand Pounds to the East India Company, to enable them to discharge Part of the East India Debt* (a); which said Interest and Sinking Fund shall nevertheless continue to be deemed a Territorial Charge, and shall be accounted for as such out of the Produce of the Revenues of *India*: Provided also, that in case sufficient Funds shall not remain in the Hands of the said Company after Payment of the Dividend, to discharge all such Bills as shall be drawn for the Interest of any Loan in *India*, under Conditions now subsisting, or which may be contracted at any time before the Tenth Day of *April* One thousand eight hundred and fourteen, entitling the Holders of such Loan to receive Bills on the said Company for the Payment of the Interest thereof, the Residue of such Bills, so long as such Interest may be demandable in *England*, shall be discharged in such manner as Parliament shall from time to time direct: Provided also, that if any Monies shall be received into the Treasury of the Company at Home upon the Credit of Bills to be drawn upon the Company's Territorial or Political Funds Abroad, or in Liquidation of Bills of Exchange remitted, or of any other Security for Advances made in *India* from the said Territorial or Political Funds, or of any Advances made from such Funds on

(a) [The Words in the Title of 52 G. 3. c. 135. are "Indian Debt."]

Account

Deficiency of Commercial Profits at Home in any Year for Dividend, made good out of Surplus Territorial Revenues.

Application of Surplus of Territorial Revenues, and Home Profits. In Repayment of Capital of Public Funds created for Company; further Surplus paid into Exchequer, to be a Guarantee Fund, not exceeding Twelve Millions; for Capital Stock and Dividends, &c. One Sixth of Excess to be Company's and remaining Five Sixths to the Public.

If Debts after Reduction be again increased beyond certain Sums, Reduction again to take place.

Account of His Majesty's Government or on any other Account, the said Monies shall be set apart and applied to defray the Territorial or Political Charges to which the said Company is liable in *Europe*; and the Excess of such Funds shall be subject to such further Appropriations as the Territorial Revenues are liable to by virtue of this Act: Provided also, that in the Event of the Commercial Profits of the said Company at Home being insufficient in any Year fully to defray the said Dividend, it shall and may be lawful to make good any such Deficiency out of any Surplus Revenue that may have arisen in the preceding Year of Account out of the Territorial Revenues, after the Payment of all Charges, Interest of Debt included.

LIX. And be it further enacted, That when the Principal Debt of the said United Company, bearing Interest in *India*, shall have been reduced to the Sum of Ten Millions of Pounds Sterling, calculated at the Exchange of Two Shillings for the *Bengal* Current Rupee, Eight Shillings for the *Madras* Pagoda, and Two Shillings and Three pence for the *Bombay* Rupee, and the Bonded Debt in *Great Britain* shall have been reduced to the Sum of Three Millions of Pounds Sterling, then, and thereafter the Surplus Proceeds, which shall be found to arise from the said Rents, Revenues and Profits of the said Territorial Acquisitions, and from Sales of the Goods, and the Profits of the Trade of the said Company, or in any other manner, after providing for the Payments aforesaid, shall be applied to the more speedy Repayment of the Capital of any Public Funds or Securities, which have been or may be created for the Use of the said Company, the Charges of which have been or may be directed to be borne by the said Company, by virtue of any Act or Acts of Parliament; and that any further Surplus that may arise shall be set apart, and from time to time paid into the Receipt of His Majesty's Exchequer, to be applied as Parliament shall direct, without Interest to be paid to the Company in respect or for the Use thereof; but nevertheless it is hereby declared that all such Sums of Money as shall be so paid into the Receipt of His Majesty's Exchequer as aforesaid, not exceeding Twelve Millions of Pounds Sterling, shall be deemed and taken to be a Fund for securing to the said United Company the Capital Stock of the said United Company, and also a Dividend at the Rate of Ten Pounds Ten Shillings *per Centum per Annum* in respect thereof; and of the Excess of such Payments, if any, beyond the said Amount of Twelve Millions of Pounds Sterling, One sixth Part shall from time to time be reserved and retained by the said United Company for their own Use and Benefit, and the remaining Five sixth Parts shall be deemed and shall be the Property of the Public, and at the Disposal of Parliament.

LX. Provided also, and be it further enacted, That if the Debts of the said Company in *India*, after the same shall have been reduced to Ten Millions of Pounds Sterling, calculated as aforesaid, shall be again increased beyond that Amount, or if their Bond Debt in *Great Britain*, after the same shall have been reduced to Three Millions of Pounds Sterling, shall be again increased beyond that Sum, then and so often as either of those cases shall happen, such Surplus Proceeds shall be appropriated to the Reduction of the said new Debts respectively, until the whole of the Debts of the said Company in *India* shall be again reduced to Ten Millions of Pounds Sterling,

Sterling, calculated as aforesaid, and their Bond Debt in *Great Britain*, to Three Millions of Pounds Sterling; any thing in this Act contained to the contrary notwithstanding.

LXI. And be it further enacted, That so much of the said Act of the Parliament of *Great Britain* of the Thirty third Year of His present Majesty, as relates to the Payment of a Sum, not exceeding Five hundred thousand Pounds in every Year, into the Receipt of His Majesty's Exchequer, to be applied as Parliament shall direct, or to the Recovery from the said United Company, or their Successors, by Action or otherwise, of such Money, in case of Failure of the said United Company or their Successors, in any Payment thereof, or to the Payment into the Bank of *England*, of Money to be placed to the Account of the Commissioners appointed by the Act passed in the Twenty sixth Year of His Majesty's Reign, intituled *An Act for vesting certain Sums in Commissioners at the End of every Quarter of a Year, to be by them applied in Reduction of the National Debt*, or to an Account to be raised and kept by the Governor and Company of the Bank of *England*, to be intituled 'The Account of the Guarantee Fund of the United Company of Merchants of *England* trading to the *East Indies*,' or to the said Guarantee Fund, or to an Account to be made by the said Governor and Company of the Bank of *England*, of or relating thereto, shall be and the same is hereby repealed.

LXII. And whereas by the said Act of the Parliament of *Great Britain*, of the Thirty third Year of His present Majesty, taking Notice of a certain Fund, therein called 'The Company's Separate Fund,' it was enacted, that after Payment should be made by the said Company into His Majesty's Exchequer, of certain Instalments (which said Payments were duly made), it should be lawful for the said Company, out of the said Separate Fund, and the Interest or growing Income thereof, to make and declare a Dividend of Ten Shillings *per Centum per Annum* on the then present or any future Amount of their Capital Stock, which said Dividend or Dividends should be paid and payable by the said Company, over and above any other Dividends which should become due in respect thereof; and that after the Expiration of the further Term by the said Act granted in their exclusive Trade, it should be lawful for the said Company to retain and dispose of what should then remain of the said Company's Separate Fund, or of the Monies constituting the same, and the Interest or other annual Proceeds thereof, in such manner as they should then think fit: And whereas by a certain other Act made in the Thirty seventh Year of His present Majesty, intituled *An Act to enable the East India Company to raise Money by further increasing their Capital Stock, and to extend the Provisions now existing, respecting the present Stock of the said Company, to the said increased Stock*; after reciting, that the Payment of their said Dividend of Ten Shillings *per Centum* to the Proprietors of the increased Stock, to be raised by virtue of the said last mentioned Act, out of the said Separate Fund, as in the said recited Act of the Thirty third Year of His Majesty's Reign is mentioned, would exhaust the same long before the Expiration of the then existing Term in the said exclusive Trade, it was enacted, for the Reasons therein mentioned, that the said Dividend of Ten

33 G. 3. c. 52.  
§ 111. in part  
repealed.

26 G. 3. c. 31.

33 G. 3. c. 32.  
§ 124.

37 G. 3. c. 32.

§ 9.

A Dividend of Ten Shillings per Cent. paid out of Separate Fund till exhausted.

37 G. 3. c. 31. § 9. in part repealed.

Directors to order distinct Accounts to be kept of Territorial, Political and Commercial Affairs; and to submit a Plan for such an Arrangement of their Accounts, to Board, for Approbation.

Shillings *per Centum*, which under the Authority of the said Act of the Thirty third Year of His present Majesty would be payable to the Proprietors of the said increased Stock out of the said Separate Fund, should be paid to them out of the annual Profits of the said Company, in the same manner and at the same times as the Dividend of Ten Pounds *per Centum*, in the said Act mentioned, was to be paid to the Proprietors of the Stock of the said Company, and for that Purpose a Sum equal to the Amount of such Dividends should from time to time be debited to the annual Account, as a Charge on the said Trade, and carried to the Account of the said Separate Fund: And whereas the said Company have not increased their Capital Stock pursuant to the Authority and Power given to them by the said Act of the Thirty seventh Year of His said Majesty's Reign: And whereas the said Separate Fund is still sufficient to pay the said Dividend of Ten Shillings *per Centum per Annum*, upon the present Capital Stock of the said Company for a certain time, but not sufficient to pay such Dividend upon the said present Capital Stock during the whole of the further Term by this Act granted to the said United Company, in the said Territorial Possessions and Revenues; Be it therefore enacted, That, from and after the passing of this Act, there shall be paid out of the said Separate Fund a Dividend after the Rate of Ten Shillings *per Centum per Annum*, on the present or any future Amount of the said Capital Stock of the said Company, for and during such time as the said Separate Fund shall be sufficient for that Purpose; and when the said Separate Fund shall become insufficient for the Payment of the whole of the said Dividend, so much as shall remain of the said Separate Fund shall be paid and applied towards the Payment of such Dividend of Ten Shillings, and the Residue of such Dividend shall be paid out of the Net Proceeds of the said Company's Profits in the manner hereinbefore mentioned; any thing in the said Act of the Thirty seventh Year of His present Majesty, or any Act, Matter or Thing to the contrary notwithstanding.

LXIII. And be it further enacted, That so much of the said Act of the Thirty seventh Year of His present Majesty, as directs that the said Dividend of Ten Shillings *per Centum per Annum* upon the increased Stock, to be raised by virtue of the said last mentioned Act, shall be paid out of the annual Profits of the said Company, shall be, and the same is hereby repealed.

LXIV. And be it further enacted, That, from and after the passing of this Act, the said Court of Directors of the said Company shall, and they are hereby required to direct and order that the Books of Account of the said Company at their several Prefidencies and Settlements in *India*, at their Factory in *China*, at the Island of *Saint Helena*, and in all other Places, as well Abroad as in *England*, be so kept and arranged, as that the same shall contain and exhibit the Receipts, Disbursements, Debts and Assets appertaining to or connected with the Territorial, Political and Commercial Branches of their Affairs respectively; and that the same shall be made up in such manner, that the said Books shall contain and exhibit the Accounts of the Territorial and Political Departments separately and distinctly from such as appertain to or are connected with the Commercial Branch of their Affairs; and the said



said Court of Directors are hereby required, forthwith, after the passing of this Act, to prepare a Plan for an Arrangement of the Accounts of the said Company in the manner aforesaid, and to submit the same to the said Board of Commissioners for the Affairs of *India*, for their Approbation; and it shall be lawful for the said Board of Commissioners from time to time to make such Alterations and Amendments therein, and such Additions thereto, as they shall think fit; which said Plan, so approved, altered, amended or added to, by the said Board of Commissioners, the said Court of Directors shall direct and order to be carried into Execution.

LXV. And be it further enacted, That the several Accounts required by the said Act of the Parliament of *Great Britain*, of the Thirty third Year of His present Majesty, to be annually laid before both Houses of Parliament, shall be henceforth prepared and arranged in conformity to the Principles of Separation hereinbefore directed, of the Territorial and Political Branch from the Commercial Branch of the Affairs of the said United Company.

LXVI. And be it further enacted, That, from and after the passing of this Act, the said Court of Directors shall annually lay before both Houses of Parliament, together with the Accounts directed by the said Act of the Parliament of *Great Britain* of the Thirty third Year of His Majesty's Reign, and by this Act, to be laid before the said Houses by the said Court, One Copy of all the Regulations made by their several Governments in *India*, and transmitted to them under and in pursuance of an Act made in the Thirty seventh Year of His Majesty's Reign, intituled *An Act for the better Administration of Justice at Calcutta, Madras and Bombay; and for preventing British Subjects from being concerned in Loans to the Native Princes in India*; and also of a certain other Act, made in the Thirty ninth and Fortieth Year of His said Majesty, intituled *An Act for establishing further Regulations for the Government of the British Territories in India, and the better Administration of Justice within the same*; and also of a certain other Act, made in the Forty seventh Year of His Majesty's Reign, intituled *An Act for the better Government of the Settlements of Fort Saint George and Bombay; for the Regulation of Public Banks; and for amending so much of an Act, passed in the Thirty third Year of His present Majesty, as relates to the Periods at which the Civil Servants of the East India Company may be employed in their Service abroad*.

LXVII. And be it further enacted, That all Rates, Customs and Duties of Export and Import, which shall be charged in the *East Indies* or other Places under the Government of the said Company, upon any Goods, Wares or Merchandize of or belonging to the said Company, shall be charged in the Books of Account of the said Company to the Debit of the Commercial Branch of their Affairs; and all such Rates, Customs and Duties which shall be so charged upon any Goods, Wares or Merchandize of or belonging to the said Company, or which shall be received by the said Company in the *East Indies* or Parts aforesaid, upon any Goods, Wares or Merchandize of any Private Merchant, Trader or other Person, shall be placed in the Books of Account of the said Company, to the Credit of the Territorial Revenues of the said Company; and all such Rates, Customs and Duties, so placed to the Credit of the Territorial Revenues of the said Company, shall be deemed

Principle attended to in Accounts laid before Parliament.  
33 G. 3. c. 52. § 126.

Copies of Regulations abroad, made under  
33 G. 3. c. 52. § 126.  
laid annually with Accounts before Parliament.

37 G. 3. c. 142. § 8.

39 & 40 G. 3. c. 79. § 23.

47 G. 3. Sess. 2. c. 68. § 1.

Duties in India on Goods of Company debited to Commerce; and together with Duties on Private Trade Goods considered as Territorial Revenue, and subject to Control of Board.

and taken to be Part of such Territorial Revenues, and shall be subject to the Controul of the said Board of Commissioners, in like manner, to all Intents and Purposes, as any other Part of such Territorial Revenues.

Board to have Controul over Appropriation of Territorial Revenues, except Sums issued in India to make good Home Payments on account of Territorial Charges, or of Loans in India, &c.  
33 G. 3. c. 52.

LXVIII. And be it further enacted, That the Board of Commissioners for the Affairs of *India* shall, by force and virtue of this Act, have and be invested with full Power and Authority to superintend, direct and controul all Orders and Instructions whatsoever, which in any wise relate to or concern the Amount of Appropriation to any Investment, or other Commercial Purposes, of any Part of the Revenues of the said Territories or Acquisitions in the *East Indies* or Parts aforesaid, other than and except such Sum as by this Act is directed to be issued in *India* for the Purpose of making good from the *Indian* Revenues, Payments to be made at Home on account of Territorial Charges; or of any Monies arising from any Loan raised or to be raised in the *East Indies*, or of any Securities issued or to be issued by any of the Governments of the said Company, in the same manner to all Intents and Purposes, and under and subject to all such and the like Regulations and Provisions, as if the said Orders or Instructions immediately related to and concerned the Civil or Military Government or Revenues of the said Territories or Acquisitions; any thing in the said first mentioned Act of the Thirty third Year of His present Majesty, or of any other Act or Acts to the contrary notwithstanding.

Court of Directors to deliver to Board Copies of all Proceedings, and of Dispatches received, relating to Appropriation of Revenue and Loans to Investments.

LXIX. And be it further enacted, That the Court of Directors of the said Company shall, and they are hereby required from time to time to deliver to the said Board, Copies of all Minutes, Orders, Resolutions and Proceedings of all Courts of Proprietors, General or Special, and of all Courts of Directors, within Eight Days after the holding of such Courts respectively; and also Copies of all Letters, Advices and Dispatches, which shall at any time or times be received by the said Court of Directors, or any Committee of Directors, from the *East Indies*, or from any other of their Settlements or Factories within the Limits of their Charter, or from any of the Servants of the said United Company stationed at *Saint Helena*, *Buffora*, *Suez*, *Aleppo*, or other Parts beyond the Seas, in any wise relating to or concerning the Appropriation to any Investment, or other Commercial Purposes, of any Part of the Revenues of the said Territories or Acquisitions, or of any Monies arising from any Loan raised or to be raised in the *East Indies*, or of any Securities issued or to be issued by any of the Governments of the said Company, immediately after the Arrival and Receipt thereof.

No Dispatches relative thereto, sent to India, till approved by Board.

LXX. And be it further enacted, That no Orders or Instructions whatever relating to the Appropriation to any Investment or other Commercial Purpose whatsoever, of any Part of the Revenues of the said Territories or Acquisitions in the *East Indies*, or of any Monies arising from any Loan raised or to be raised in the *East Indies*, or of any Securities issued or to be issued by any of the Governments of the said Company, shall be at any time, sent or given to any of the Governments or Settlements in the *East Indies* by the Court of Directors of the said United Company, or by any Committee of the said Directors, until the same shall have been submitted to the Consideration of, and approved by the said Board; and for that Purpose, that Copies of all Orders and Instructions which

the

the said Court of Directors, or any Committee of the said Directors shall propose to be sent to the *East Indies*, shall be by them previously laid before the said Board; and that after the Receipt of such proposed Dispatches, the said Board shall, with all reasonable Dispatch, not exceeding Two Months, return the same to the said Court of Directors, or Committee of Directors, either with their Approbation thereof, certified under the Hand of the Chief or Assistant Secretary to the said Board by the Order of the said Board, or if the said Board shall disapprove, alter or vary in Substance any of such proposed Orders or Instructions, in every such case the said Board shall give to the said Directors in Writing under the Hand of the Chief or Assistant Secretary of the said Board, by Order of the said Board, their Reasons at large in respect thereof, together with their Instructions to the said Directors in relation thereto; and that the said Directors shall, and they are hereby required forthwith to dispatch and send the Letters, Orders and Instructions, in the Form approved by the said Board, to the proper Government or Officers in the *East Indies*, without further Delay, unless, on any Representation made to them by the said Directors, the said Board shall order any Alterations to be made therein; and that the said Directors shall and they are hereby required to pay Obedience to, and shall be governed and bound by such Orders and Instructions as they shall from time to time receive from the said Board of Commissioners, touching or concerning such Appropriation, according to the Tenor and true Intent of this Act.

• LXXI. And whereas it is provided by the said Act of the Parliament of *Great Britain*, of the Thirty third Year of His Majesty's Reign, that Copies of all Orders and Instructions which the Court of Directors, or any Committee of the Court of Directors of the said Company shall propose to be sent to *India*, shall be by them previously laid before the said Board, and that within the Space of Fourteen Days after the Receipt of such proposed Dispatches, the said Board shall return the same to the said Court of Directors, or Committee of Directors, in the manner directed by the said Act: And whereas the said Limitation of Fourteen Days for the Return of such proposed Dispatches may be found inconvenient; Be it therefore enacted, That so much of the said Act of the Thirty third Year of His present Majesty, as requires such proposed Dispatches to be returned by the said Board within Fourteen Days, shall be and the same is hereby repealed; and that, from and after the passing of this Act, it shall be sufficient for the said Board to return all such proposed Dispatches to the said Court of Directors, or Committee of the said Court of Directors, and the said Board is hereby required to return the same, with all reasonable Dispatch, not exceeding Two Months.

33 G. 3. c. 52.  
§ 12.

Instead of being limited to 14 Days, Board to return proposed Dispatches within Two Months.

• LXXII. And whereas it is required by the said Act of the Parliament of *Great Britain* of the Thirty third Year of His Majesty's Reign, that various Proceedings of the said Board of Commissioners should be signed by the Chief Secretary to the said Board; Be it enacted, That, from and after the passing of this Act, all Proceedings of the said Board, to which the Signature of the said Chief Secretary is now by Law required, may be signed either by such Chief Secretary or by the Assistant Secretary to the said Board; any Act, Matter or Thing to the contrary notwithstanding.

33 G. 3. c. 52.  
§ 12.

Proceedings of Board signed by Chief or Assistant Secretary.

Secret Committee not to disclose Dispatches sent from Presidencies relative to War, &c. until authorized by Board of Commissioners.

LXXIII. And be it further enacted, That, from and after the passing of this Act, where any of the Governments or Presidencies in the *East Indies* or Parts aforesaid shall, under the Provisions of the said first mentioned Act of the Thirty third Year of His present Majesty, address any Dispatches to the Secret Committee of Directors of the said United Company, for the Inspection of such Committee the said Secret Committee of Directors shall not disclose or make known the Contents of any such Dispatches which relate to the levying of War or the making of Peace, or treating or negotiating with any of the Native Princes or States of the *East Indies*, or other Parts within the Limits of the said Company's Charter, until they shall be authorized by the Board of Commissioners for the Affairs of *India* so to do.

Secret Committee to take following Oath; instead of Oath of 33 G. 3. c. 52. § 20.

LXXIV. And be it further enacted, That instead of the Oath by the said Act of the Parliament of *Great Britain* of the Thirty third Year of His present Majesty, required to be taken by the several Directors who shall from time to time be appointed a Secret Committee, they shall take an Oath of the Tenor following; that is to say,

Oath.

‘ I *A. B.* do swear, That I will, according to the best of my Skill and Judgment, faithfully execute the several Trusts and Powers reposed in me as a Member of the Secret Committee, appointed by the Court of Directors of the United Company of Merchants of *England* trading to the *East Indies*; I will not disclose or make known any of the Secret Orders or Instructions which shall be given, communicated or transmitted to the said Committee by the Commissioners for the Affairs of *India*, nor any Dispatches communicated or transmitted to the said Committee by any of the Governments or Presidencies in *India*, which relate to the levying of War or the making of Peace, or treating or negotiating with any of the Native Princes or States of the *East Indies*, or other Parts within the Limits of the said Company's Charter, save only to the other Members of the said Secret Committee, or to the Person or Persons who shall be duly nominated and employed in transcribing or preparing the same respectively, unless I shall be authorized by the said Commissioners to disclose and make known the same. So help me GOD.’

New Oath of Secrecy taken by Persons employed in preparing or transcribing Secret Dispatches. 33 G. 3. c. 52.

LXXV. And be it further enacted, That the Secretary of the said Court of Directors, or the Examiner of *Indian* Correspondence, or any other Person employed by the Secret Committee, in preparing or transcribing any Secret Dispatches, Orders or Instructions, required to be transmitted by them to *India*, under the Direction of the said Act of the Parliament of *Great Britain* of the Thirty third Year of His Majesty's Reign, or any Secret Dispatches received from the Governments or Presidencies in the *East Indies* or Parts aforesaid, shall, before they respectively enter upon that Duty, take and subscribe, before any of the Members of the said Secret Committee, an Oath of Secrecy, as near unto the Tenor and Form of the Oath hereinbefore provided and directed to be taken by the Members of the said Secret Committee, as the case will admit, in such manner as by the same Act of the Thirty third Year of His present Majesty is required, in regard to the Oath thereby directed to be taken by Persons employed in preparing and transcribing Secret Dispatches intended to be sent to *India*.

LXXVI. And

LXXVI. And be it further enacted, That in the Oath prescribed to be taken by the Directors of the said Company, after their Election by the said Act of the Parliament of *Great Britain* of the Thirty third Year of His Majesty's Reign, the Year and Title of this Act shall be inserted, instead of the Year and Title of the said Act of the Thirty third of His Majesty's Reign.

Title of Act inserted in Directors Oath, as by 33 G. 3. c. 52. § 160.

LXXVII. And whereas by the Charter of Incorporation of the said United Company, granted under the Authority of an Act passed in the Ninth and Tenth Year of the Reign of His late Majesty King *William* the Third, intituled *An Act for raising a Sum not exceeding Two Millions, upon a Fund for Payment of Annuities after the Rate of Eight Pounds per Centum per Annum, and for settling the Trade to the East Indies*, it is ordered and appointed, that in all cases where there shall be an Equality or equal Number of Votes in any General Court, or in any Court of Directors to be holden as aforesaid, the Matter shall be determined by Lots, which the Treasurer for the said Company shall cause to be prepared and drawn for that Purpose: And whereas it is expedient that such mode of Decision should be no longer continued; Be it therefore enacted, That, from and after the passing of this Act, no Question in any such General Court, or Court of Directors, shall be carried otherwise than by a Majority of Votes; and in all cases of an Equality of Votes upon any Question put in any such General Court or Court of Directors, such Equality shall be deemed and taken to operate as a Rejection of the Motion or Proposition on which such Question shall have been so put: Provided always, that nothing herein contained shall extend or be construed to extend to cases of Election of any Person to any Office or Place where there shall be more than One Candidate for such Office or Place, but that in all such cases where there shall be an Equality of Votes in favour of any Two or more Candidates, such Election may be determined by Lot, in manner directed by the said Charter; any thing herein contained to the contrary notwithstanding.

9 & 10 W. 3. c. 44.

In cases of Equality of Votes in General Courts or Courts of Directors, Questions considered as rejected, except in cases of Two or more Candidates for Office, which are still to be determined by Lot.

LXXVIII. And be it further enacted, That, from and after the passing of this Act, the Commissioners for the Affairs of *India*, or any of the Officers of the Board of Commissioners for the Affairs of *India*, by the Order and Authority of the said Board, shall not only have free Access to the Books, Papers, Letters of Correspondence, Evidences and other Records of the said Company, and be assisted in their Searches for the same, and furnished with Copies or Extracts, in the manner prescribed by the said Act of the Parliament of *Great Britain* of the Thirty third Year of His Majesty's Reign, but shall and may call for, and direct to be prepared, all such Accounts, Statements and Abstracts, relating to the Affairs of the said Company as the said Board shall think fit; and the said Court of Directors shall, with all reasonable Dispatch, cause to be prepared and transmitted to the said Board, all such Accounts, Statements and Abstracts, as the said Board shall so direct to be prepared.

Board may require Accounts, Abstracts and Statements, to be prepared by Director

33 G. 3. c. 52. § 10.

LXXIX. And whereas by the said Act of the Parliament of *Great Britain*, of the Thirty third Year of His Majesty's Reign, it is enacted, that the several Orders and Proceedings of the Prefidencies of *Fort William*, *Fort Saint George* and *Bombay*, should previously to their being published and put in Execution, be signed by the Chief Secretary to the Council of the Prefidency, by the

33 G. 3. c. 52. § 39.

Proceedings at  
Presidencies  
signed by Princi-  
pal Secretary of  
Department in  
Absence of  
Chief Secretary.

Vacancies of  
Governors, and  
Commanders in  
Chief, filled up  
by Court of  
Directors, sub-  
ject to His  
Majesty's Ap-  
probation.  
Proviso for  
Right of Direc-  
tors to recal.

Vacancies in  
India (with Ex-  
ceptions) not  
filled by Di-  
rectors without  
Approval of  
Board.

‘ Authority of the Governor General in Council, or Governors in  
‘ Council, as the case may be: And whereas Inconvenience may  
‘ arise to the Public Service, unless some other Person, besides such  
‘ Chief Secretary, be authorized to sign such Orders and Proceedings;’  
Be it therefore further enacted, That all such Orders and Proceedings  
of the several Governments and Presidencies in the *East Indies*, and  
Parts aforesaid, shall or may, previously to their being published or  
put in Execution, be signed in manner aforesaid, either by the Chief  
Secretary to the Government of the said Presidency, or in the Absence  
of such Chief Secretary, by the Principal Secretary of the Depart-  
ment of such Presidency to which such Orders and Proceedings re-  
late; any thing to the contrary notwithstanding.

LXXX. And be it further enacted, That, from and after the  
passing of this Act, all Vacancies which shall happen in the Office  
of Governor General of *Fort William*, or of Governor of either of  
the Company's Presidencies or Settlements of *Fort Saint George* or  
*Bombay*, or of Governor of the Forts and Garrisons of *Fort William*,  
*Fort Saint George* or *Bombay*, or of Commander in Chief of all the  
Forces in *India*, or of any Provincial Commander in Chief of the  
Forces there, shall be filled up and supplied by the Court of Directors  
of the said United Company; subject nevertheless to the Appro-  
bation of His Majesty, to be signified in Writing under his Royal  
Sign Manual, countersigned by the President of the Board of Com-  
missioners for the Affairs of *India*: Provided always, that nothing  
herein contained shall extend, or be construed to extend, to take away  
or affect the Power of the said Court of Directors, to remove or recal  
any such Governor General, Governor or Commander in Chief; but  
the said Court shall and may at all times have full Liberty to remove,  
recal and dismiss any such Governor General, Governor or Commander  
in Chief, at their Will and Pleasure, in like manner as if this Act had  
not been made.

LXXXI. And be it further enacted, That, from and after the  
passing of this Act, it shall not be lawful for the said Court of  
Directors, either provisionally or otherwise, to nominate or appoint  
any Person to succeed to any Office or Employment in the Civil or  
Military Establishments of the said Company in the *East Indies*, or  
Parts aforesaid, without the Approbation of the said Board of Com-  
missioners, other than and except as aforesaid: Provided always, that  
nothing herein contained shall prevent or hinder the said Court of  
Directors from nominating or appointing absolutely or provisionally  
such Persons as they may think fit to the Offices of Member of  
Council, General Officer on the Staff, Advocate and Attorney  
General, Attorney at Law of the said Company, or Chaplain at the  
several Presidencies or Settlements, or to any Offices or Employments  
in the Civil or Marine Establishments of the said Company, which  
may be and usually have been supplied by Persons not having been  
covenanted Servants of the said Company previously to their Nomina-  
tions or Appointments, nor to prevent the said Court of Directors  
from nominating or appointing Writers, Cadets or Assistant Surgeons,  
in such manner as they have heretofore been used or accustomed  
to do.

‘ LXXXII. And whereas a strict Adherence to the Provisions  
‘ contained in the said Act made in the Thirty third Year of His  
‘ present Majesty's Reign, in respect to the filling up and supplying  
‘ Vacancies

‘ Vacancies in the Civil Service of the said Company has been found impracticable, without Detriment to the Public Service, or Injury to the just Claims and meritorious Exertions of Individuals; And whereas a Modification of the said Act has been in part adopted in the Act of the Forty seventh of His present Majesty, relative to the Scholars educated at *Hertford College*;’ Be it therefore enacted, That, from and after the passing of this Act, any Office, Place or Employment, the Salary and Perquisites whereof shall exceed the Sum of Fifteen hundred Pounds, may be granted to and conferred upon the said Servants who shall have been actually resident in *India* in the said Company’s Service for the Space of Four Years at the least in the whole, antecedent to such Vacancy; and if the Salary, Perquisites and Emoluments of any Office, Place or Employment, shall exceed the Sum of Three thousand Pounds *per Annum*, such Office may be conferred upon any of the said Servants who shall have been actually resident in *India* Seven Years at least in the whole; and if the Salary, Perquisites and Emoluments of any Office, Place or Employment, shall exceed Four thousand Pounds *per Annum*, such Office, including that of the Council, may be granted to or conferred upon any of the said Servants who shall have been actually resident in *India* in the Company’s Service for the Space of ten Years at the least in the whole.

Periods of Service necessary for Qualification of Civil Officers modified; as to Places of more than 1,500l. per Ann. 47 G. 3. Sess. 2. c. 68. § 7. Places of more than 3,000l. per Ann. Places of more than 4,000l. per Ann. (including the Council)

‘ LXXXIII. And whereas by a certain Act, made in the Fifty first Year of His Majesty’s Reign, intituled *An Act for making further Provision for the Payment of Salaries, and other Charges in the Office of the Commissioners for the Affairs of India; and for enabling the East India Company to restore to the Service of the said Company, Military Officers removed therefrom by Sentences of Courts Martial; and to authorize the said Company, in cases of unforeseen Emergency, to take up Ships by private Contract*; it was declared and enacted, that it was lawful for the Court of Directors of the said United Company, to restore to the Service of the said Company, any Military Officer who should have been or should be dismissed or suspended therefrom by the Sentence of a Court Martial, provided that no such Restoration should be in any ways valid or effectual, without the Approbation and Consent of the Board of Commissioners for the Affairs of *India*, for that Purpose had and obtained: And whereas it is expedient that the Restoration by the said Court of Directors to the Service of the said Company, of such of the said Company’s Servants, Civil and Military, as shall be suspended by the Authority of any of the Governments or Presidencies of the said Company in *India*, and also that the Restoration to their former Stations of Officers Civil and Military, removed by the like Authority, should be subject to the like Approbation and Consent of the said Board of Commissioners:’ Be it therefore further enacted, That, from and after the passing of this Act, no Restoration by the said Court of Directors, to the Service of the said Company, of any Servant of the said Company, Civil or Military, who shall have been suspended by the Authority of any of the said Company’s Governments or Presidencies in the *East Indies*, or Parts aforesaid; and no Restoration by the said Court of Directors to his Station, Office or Employment in the Service of the said Company of any Officer of the said Company, Civil or Military, who shall have been removed therefrom by the like Authority, shall be valid

51 G. 3. c. 75. § 4

Restoration of Servants, Civil and Military, suspended or removed by Governments abroad, not valid without Consent

or effectual, without the Approbation and Consent of the said Board of Commissioners, for that Purpose first had and obtained.

33 G. 3. c. 52.  
§ 70.

Certain Officers may return to India, after Five Years Absence, with Consent of Directors and Board, though Absence not occasioned by Sickness, &c.

‘ LXXXIV. And whereas by the said Act of the Parliament of Great Britain, of the Thirty third Year of His Majesty’s Reign, it is enacted, that no Person who shall hold a Military Station in the Service of the said Company, being under the Rank of Commander in Chief of the Forces, and who having departed from India by Leave of the Governor General in Council, or Governor in Council, shall not return to India within Five Years next after such Departure, shall be entitled to any Rank, or be capable of again serving in India, either in the European or Native Corps of Troops, unless it shall be proved to the Satisfaction of the said Court of Directors, and the Board of Commissioners for the Affairs of India, that such Absence was occasioned by Sickness or Infirmary, or some inevitable Accident: And whereas Inconvenience to the Military Service of the said Company has been found to arise, in certain cases, from the said Provision;’ Be it therefore enacted, That it shall and may be lawful for the said Court of Directors, with the Approbation of the said Board of Commissioners, to permit any Military Officer, being of the Rank of a General Officer or Colonel commanding a Regiment, or being a Lieutenant Colonel Commandant of a Regiment, who, having departed from India with such Leave as aforesaid, shall not have returned to India within Five Years from the time of such Departure, to have his Rank and to be capable of again serving in India, although such Absence may not have been occasioned by Sickness or Infirmary, or any inevitable Accident; any thing in the said Act contained to the contrary notwithstanding.

Restored Civil Servants to take Precedence according to Seniority at time of Departure from India.

LXXXV. And be it further enacted, That when and as often as any Person having held any Civil Station in India, in the Service of the said Company, and having departed from India by Leave of the Governor General in Council, or Governor in Council, shall be restored to the said Company’s Service, after an Absence of Five Years from the time of such Departure, such Person from and after such Restoration, shall take Rank and Precedence only according to the time he shall have passed in the Service of the said Company at the Period of his Departure from India; and on his Return to India, if any other Civil Servant or Servants at the Settlement to which he shall belong, shall have then passed a greater or the like Length of time in the Service of the said Company, as the Person so restored had passed when he left India, the Person so restored shall be placed and take Rank immediately below such other Civil Servant or Servants; any Matter or Thing to the contrary notwithstanding.

33 G. 3. c. 52.  
§ 56.

‘ LXXXVI. And whereas by the said Act of the Parliament of Great Britain, of the Thirty third Year of His present Majesty’s Reign, it is enacted, that all the Civil Servants of the said United Company in India, under the Rank or Degree of Member of Council, shall have and be entitled to Precedence in the Service of the said Company at their respective Stations according to the Seniority of their Appointment: And whereas the several Governments of the said Company are often prevented from appointing meritorious Servants of the said Company to be Members of Courts, Boards and other official Establishments, where Offices or Employments are exercised by several Servants of the said Company col-  
lectively



lectively, left by such Appointment One or more Members of such Court, Board or other Establishment should be superseded:’ Be it therefore enacted, That it shall and may be lawful for any Governor General or Governor in Council of the said Company, if he shall think proper, upon Application in Writing for that Purpose by any Civil Servant of the said Company desirous of being appointed a Member of any such Court, Board or other Establishment, by special Order to direct that such Servant of the said Company, on being appointed to any Office or Employment in any such Court, Board or other Establishment, shall take Precedence at or in such Court, Board or other Establishment, according to the Seniority of his Appointment as a Member of such Court, Board or other Establishment, although such Civil Servant in respect of whom such Order shall be made may thereby not take Precedence at or in such Court, Board or other Establishment, according to the Seniority of his Appointment to the Service of the said Company; and such Civil Servant shall thereupon take Precedence at such Court, Board or other Establishment accordingly; the said Act or any other Matter or Thing to the contrary, notwithstanding

Servants of Company may be appointed to Boards, Courts or other official Establishments, though they do not take Precedence according to Seniority of Services.

‘ LXXXVII. And whereas it is expedient, in the present circumstances, that the Number of His Majesty’s Forces, for which Payment should be made out of the Revenues arising from the British Territories and Possessions in the *East Indies* should be ascertained and fixed;’ Be it therefore enacted, That it shall not be lawful for the Commissioners for the Affairs of *India* to give or approve Orders or Directions, that there shall be paid, defrayed and allowed, out of the Revenues arising from the said Territories and Possessions, in respect of His Majesty’s Forces sent or to be sent to the *East Indies* or Parts aforesaid, for the Security of the said Territories and Possessions, any Sum or Sums of Money, in respect of any greater Number of His Majesty’s Forces, than shall amount in the whole to Twenty thousand Men, including the Commissioned and Non Commissioned Officers; unless any greater Number of His Majesty’s Forces shall be sent to the *East Indies* or Parts aforesaid, on the Requisition of the said Court of Directors; in which last case it shall and may be lawful for the said Commissioners to give and approve such Orders and Directions, for paying, allowing and defraying such Sums as aforesaid, in respect to such additional Forces of His Majesty so to be sent on the Requisition of the said Company.

Payment for King’s Troop, by Company, not to exceed 20,000 Men, unless greater Number sent on their Requisition.

‘ LXXXVIII. And whereas by the said Act of the Parliament of Great Britain of the Thirty third Year of His present Majesty, it was enacted, that no Grant or Resolution of the said Company, or their Court of Directors, to be made after the passing of that Act, and during the Continuance of their Right in the exclusive Trade thereby granted, whereby the Funds of the said Company might become chargeable with any new Salary, or Increase of Salary, or any new or additional Establishment of Officers or Servants, or any new Pension or Increase of Pension, to any one Person, exceeding Two hundred Pounds *per Annum*, should be available in Law, unless such Grant or Resolution should be approved and confirmed by the Board of Commissioners for the Affairs of *India*, attested under the Hand of the President of the said Board: And whereas, for further protecting the Funds of the said Company, during the Continuance of the further Term hereby granted

§ 3 G. 3. c. 52  
§ 125.

No Gratuity  
above 600l. good  
unless confirmed  
by Board.

Copies of Grants  
of Annuities laid  
before Parliam-  
ent.

13 G. 3. c. 63.  
§ 22.

39 & 40 G. 3.  
c. 79. § 7.

37 G. 3. c. 142.  
§ 20.

repealed.  
Salaries of  
Officers.

‘ granted to the said Company, it is expedient that the said Company should be put under reasonable Limitations, in respect to the granting of Gratuities;’ Be it therefore further enacted, That, from and after the passing of this Act, it shall not be lawful for the said Court of Directors to charge the Funds of the said Company with the Payment of any Gratuity, to any Officer, Civil or Military, or other Person, exceeding the Sum of Six hundred Pounds, unless the Grant or Resolution for that Purpose shall have been sanctioned by the Court of Proprietors, and approved and confirmed by the Board of Commissioners for the Affairs of *India*; and that Copies of all Warrants or Instruments granting any Salary, Pension or Gratuity, shall be submitted to both Houses of Parliament, within One Month after such Grant, if Parliament shall be then sitting, or if not, within One Month after their then next Meeting.

‘ LXXXIX. And whereas by a certain Act passed in the Thirteenth Year of His present Majesty’s Reign, intituled *An Act for establishing certain Regulations for the better Management of the Affairs of the East India Company, as well in India as in Europe*, it is enacted, that the Salaries of the Governor General and Council of *Fort William*, and of the Chief Justice and Judges of the Supreme Court of Judicature at *Fort William in Bengal*, shall take place and commence, in respect to all such Persons who shall be resident in *Great Britain* at the time of their Appointment, upon and from the Day on which such Person shall embark from *Great Britain*; and that the Salaries of all such Persons who shall at the time of their Appointment be resident in *India*, shall commence from and after their respectively taking upon them the Execution of their Offices: And whereas by an Act passed in the Fortieth Year of His Majesty’s Reign, intituled *An Act for establishing further Regulations for the Government of the British Territories in India, and the better Administration of Justice within the same*, a similar Provision is made in respect to the Salaries of the Chief Justice and Judges of the Supreme Court of Judicature at *Madras*: And whereas by an Act passed in the Thirty seventh Year of His Majesty’s Reign, intituled *An Act for the better Administration of Justice at Calcutta, Madras and Bombay, and for preventing British Subjects from being concerned in Loans to the Native Princes in India*, a similar Provision is made in respect to the Salary of the Recorder of the Court of Judicature at *Bombay*: And whereas no such Provision has been made respecting the Commencement of the Salaries of the Governor or Council of *Fort Saint George*, or of the Governor or Council of the Town and Island of *Bombay*, or of the Governor of *Prince of Wales Island*, or of the Recorder there: And whereas it is expedient that a general and moderate Provision should be made in respect of all the said Offices and of others who may happen to be in the United Kingdom at the time of their Appointments;’ Be it therefore further enacted, That so much of the said Acts of the Thirteenth, Thirty seventh and Fortieth Years of His Majesty’s Reign, as relates to the Commencement of Salaries, shall be and the same is hereby repealed: And that, from and after the passing of this Act, the Salaries of the several Officers hereinbefore mentioned shall commence from and after their respectively taking upon them the Execution of their Offices; and the said Court of Directors shall and they are hereby required to pay and advance to all and singular the

the Officers and Persons hereinafter mentioned, who shall be resident in the United Kingdom at the time of their respective Appointments, for the Purpose of defraying the Expences of their Equipments and Voyage, such Sums of Money as are set against the Names of such Officers and Persons respectively; that is to say,

To the Governor General of <i>Fort William in Bengal,</i>	-	Five thousand Pounds :
To each of the Members of Council there,	-	One thousand two hundred Pounds :
To the Commander in Chief of all the Forces in <i>India,</i>	-	Two thousand five hundred Pounds :
To the Chief Justice of the Supreme Court at <i>Fort William,</i>	-	One thousand five hundred Pounds :
To each of the Puisse Judges there,	-	One thousand Pounds :
To the Governor of <i>Fort Saint George,</i>	-	Three thousand Pounds :
To each of the Members of Council there,	-	One thousand Pounds :
To the Commander in Chief there,	-	Two thousand Pounds :
To the Chief Justice of the Supreme Court there,	-	One thousand two hundred Pounds :
To each of the Puisse Judges there,	-	One thousand Pounds :
To the Governor of <i>Bombay,</i>	-	Two thousand five hundred Pounds :
To each of the Members of Council there,	-	One thousand Pounds :
To the Commander in Chief there,	-	One thousand five hundred Pounds :
To the Recorder there,	-	One thousand Pounds :
To the Governor of <i>Prince of Wales Island,</i>	-	One thousand two hundred Pounds :
To the Recorder there,	-	One thousand Pounds :
To the Bishop,	-	One thousand two hundred Pounds :
To each of the Archdeacons,	-	Five hundred Pounds.

XC. And whereas by an Act passed in the Fifty first Year of His Majesty's Reign, intituled *An Act for making further Provision for the Payment of Salaries and other Charges in the Office of the Commissioners for the Affairs of India, and for enabling the East India Company to restore to the Service of the said Company Military Officers removed therefrom by Sentence of Courts Martial, and to authorize the said Company in cases of unforeseen Emergency, to take up Ships by Private Contract,* it is enacted, that the whole of the Salaries to be paid to the Members of the said Board of Commissioners for the Affairs of *India,* and to the Secretaries and Officers of the same, together with all other contingent Charges and Expences of the said Board to be defrayed by the said United Company, should not exceed the Sum of Twenty two thousand Pounds in any one Year: And whereas it is necessary, that an Addition should be made to the said Sum, for the Purpose of further remunerating the Services of the Secretaries and Officers of the said Board; Be it therefore enacted, That so much of the said Act as limits the Sum to be defrayed by the said Company on account of the said Board, to the Sum of Twenty two thousand Pounds in any one Year, shall be, and the same is hereby repealed; and that, from and after the passing of this Act, the Sum to be defrayed by the said Company on account of the said Board, shall not exceed the Sum of Twenty six thousand Pounds in any one Year;

51 G. 3. c. 25.

§ 2.

repealed.  
Additional Provision for Salaries and Charges of Board of Com-  
troul

Year; and that the same shall be deemed and taken as Part of the Political Charges of the said Company.

His Majesty empowered to grant Superannuations to Officers of Board of Control.

‘ XCI. And whereas it is reasonable that His Majesty, his Heirs or Successors, should have Power to grant Allowances, Compensations, Remunerations or Superannuations, to the Secretaries and other Officers of the said Board, under the Conditions hereinafter provided;’ Be it therefore enacted, That it shall and may be lawful to and for His Majesty, his Heirs or Successors, by any Warrant or Warrants under his or their Sign Manual, counterfigured by the Chancellor of the Exchequer for the time being, to grant or allow to any of the Secretaries or Officers for the time being belonging to the said Board, such Allowances, Compensations, Remunerations or Superannuations as His Majesty, his Heirs or Successors, shall think proper; and in such or the like Proportions, as Allowances, Compensations, Remunerations or Superannuations, may now be made to Public Officers, by virtue of an Act passed in the Fiftieth Year of His present Majesty’s Reign, intituled *An Act to direct the Accounts of Increase and Diminution of Public Salaries, Pensions and Allowances, shall be annually laid before Parliament, and to regulate and controul the granting and paying of such Salaries, Pensions and Allowances*; and that the same shall be paid and defrayed Quarterly by the said Company, and be deemed and taken as Part of their Political Charges.

50 G. 3. c. 117. § 2.

Previous Service taken into Account for Officers of Board.

XCII. Provided always, That where any Officer or Servant of the said Board shall have been in the Service of the said Company previously to his Employment under the Authority of the said Board, the time of such Service under the said Company shall be taken into Account, in computing the Number of Years’ Service under the said Board.

Court of Directors empowered to grant Superannuations to Company’s Servants in England.

‘ XCIII. And whereas it is reasonable that the said Court of Directors should have Power to grant Allowances, in the Nature of Superannuations, to such of their Officers and Servants in England, as from Age or Infirmary may no longer be qualified for the Execution of their several Offices or Employments:’ Be it therefore enacted, That it shall and may be lawful to and for the said Court of Directors to make Allowances, Compensations, Remunerations or Superannuations, to the Officers and Servants of the said Company in England; subject to the Restrictions and according to the Conditions and Proportions following; that is to say, where it shall be proved, to the Satisfaction of the said Court of Directors, that any such Officer or Servant, being under Sixty Years of Age, shall be incapable, from Infirmary of Mind or Body, to discharge the Duties of his Office, in such case, if he shall have served with Diligence and Fidelity in the Service of the said Company for Ten Years, it shall and may be lawful to grant him, by way of Superannuation, any annual Sum not exceeding One third of the Salary and allowed Emoluments of his Office: If above Ten Years and less than Twenty, any such Sum not exceeding One half of such Salary and allowed Emoluments: If above Twenty Years, any such Sum not exceeding Two thirds of such Salary and allowed Emoluments: If such Officer or Servant shall be above Sixty Years of Age, and he shall have served Fifteen Years or upwards, it shall and may be lawful, without Proof of Infirmary of Mind or Body, to grant

grant him, by way of Superannuation, any annual Sum not exceeding Two thirds of the Salary and allowed Emoluments of his Office : If Sixty five Years of Age or upwards, and he shall have served Forty Years or upwards, any such Sum not exceeding Three fourths of such Salary and allowed Emoluments : If Sixty five Years of Age or upwards, and he shall have served Fifty Years or upwards, any such Sum not exceeding the whole of such Salary and allowed Emoluments : All which Allowances so to be made, shall be charged in the Books of Account of the said Company to the Debit of that Branch of the Company's Affairs to which the said Officers or Servants may respectively belong ; any thing in the said Act of the Thirty third Year of His Majesty's Reign to the contrary notwithstanding.

33 G. 3. c. 52.

**XCIV.** Provided always, and be it further enacted, That an Account of all Allowances, Compensations, Remunerations and Superannuations, which shall be granted, either to the Officers or Servants of the said Board of Commissioners, or to the Officers or Servants of the said Company as aforesaid, during the preceding Year, shall be laid before Parliament within Fifteen Days after the next Meeting thereof.

Account of Superannuations laid before Parliament.

**XCV.** Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice or affect the undoubted Sovereignty of The Crown of the United Kingdom of *Great Britain and Ireland*, in and over the said Territorial Acquisitions ; nor to preclude the said United Company, after the Determination of the Term hereby granted, from the Enjoyment of or claim to any Rights, Franchises or Immunities which they now have, or to which they may hereafter be entitled.

Act not to prejudice King's Sovereignty, or affect Rights of Company.

**XCVI.** And whereas Doubts have been entertained whether the several Governments of the said Company have sufficient Power in all cases to make Laws and Regulations and Articles of War, for the Order and Discipline of Officers and Soldiers, being Natives of the *East Indies*, or other Places within the Limits of the said Company's Charter, in the Service of the said Company, and for the Administration of Justice by Courts Martial to be holden upon such Officers and Soldiers ; and it is expedient that such Doubts should be removed : Be it therefore enacted and declared, That the several Governments of *Fort William, Fort Saint George and Bombay*, have and shall, during the Continuance of the Term hereby granted to the said Company, be deemed and taken to have full Power and Authority to make all such Laws and Regulations and Articles of War, as they may think fit, for the Order and Discipline of all Officers and Soldiers, Natives of the *East Indies*, or other Places within the Limits of the said Company's Charter, in their respective Services, and for the Administration of Justice by Courts Martial to be holden on such Native Officers and Soldiers, and for the Constitution and manner of Proceeding of such Courts Martial, and for all other Purposes relating to or in any manner concerning such Native Officers and Soldiers, in as full and ample a manner as the said Governments respectively may make any other Laws or Regulations for the Government of the Natives of the several Territories subject to the said Presidencies respectively ; any Act of Parliament, or other Matter or Thing to the contrary notwithstanding : Provided always, that all Laws, Regulations and

Governments in India empowered to make Laws, Regulations and Articles of War, for Native Troops ; and to hold Courts Martial.

Provido.

Articles

37 G. 3. c. 148.  
§ 8.

Former Laws,  
Articles of War  
and established  
Usages respect-  
ing Native  
Troops con-  
firmed.

Governor Gene-  
ral and Govern-  
ors in Council  
at Fort William,  
Madras, Bom-  
bay and Prince  
of Wales Island,  
may impose  
Customs and  
other Taxes, on  
Places and Per-  
sons within Ju-  
risdiction of  
Courts establish-  
ed by King's  
Charter; in

Articles of War, hereafter to be made respecting any of the Matters aforesaid, whereby the Rights, Persons or Property of any such Native Officers or Soldiers may be affected, shall be made and promulgated in every respect in the same manner as other Regulations affecting the Rights, Persons or Property of Natives or other Individuals amenable to the Provincial Courts of the Presidency of *Fort William in Bengal*, are directed to be made by virtue of an Act passed in the Thirty seventh Year of His Majesty's Reign, intituled *An Act for the better Administration of Justice at Calcutta, Madras and Bombay*; and for preventing British Subjects from being concerned in Loans to the Native Princes in India.

XCVII. And be it further enacted and declared, That all Laws, Regulations and Articles of War heretofore made by any of the said Governments, respecting the said Native Officers and Soldiers, or the Administration of Justice by Courts Martial to be holden upon them, or the Constitution or Proceeding of such Courts Martial, or in any manner respecting the Government, Order or Discipline of such Native Officers or Soldiers, and also all established Usages acted upon by such Governments, respecting any of the Matters aforesaid, although the same may not have originated in any written Law or Regulation thereof, were and that such of the said Laws, Regulations, Articles of War and established Usages as are now subsisting, are, and until altered or repealed by the said Governments respectively shall be, to all Intents and Purposes, valid; and that all Courts Martial holden according to such Laws, Regulations or Articles of War, or established Usages, and all Proceedings of the same respectively, and all other Acts or Proceedings done or had under such Laws, Regulations, Articles of War or established Usages, are hereby ratified and confirmed, and declared to be valid, and to have been legally had and done; so far as the same respectively were and are conformable to such Laws, Regulations, Articles of War and established Usages.

XCVIII. And whereas it is expedient that the Governments of the said Company established at *Fort William, Fort Saint George, Bombay and Prince of Wales Island* respectively, should have Authority to impose Duties and Taxes to be levied within the several Towns of *Calcutta and Madras*, the Town and Island of *Bombay and Prince of Wales Island*, and also Duties and Taxes to be paid by Persons subject to the Jurisdictions of the Supreme Court of Judicature at *Fort William in Bengal*, the Supreme Court of Judicature at *Madras*, the Court of the Recorder of *Bombay*, and the Court of Judicature at *Prince of Wales Island* respectively; Be it therefore enacted, That it shall and may be lawful to and for the Governor General in Council of *Fort William in Bengal*, and to and for the Governor in Council of *Fort Saint George*, and to and for the Governor in Council of *Bombay*, and to and for the Governor in Council of *Prince of Wales Island*, within the respective Presidencies of *Fort William, Fort Saint George, Bombay and Prince of Wales Island*, to impose all such Duties of Customs and other Taxes, to be levied, raised and paid within the said Towns of *Calcutta and Madras*, the said Town and Island of *Bombay*, and *Prince of Wales Island*, and upon and by all Persons whomsoever, resident or being therein respectively, and in respect of all Goods, Wares, Merchandizes, Commodities and Property whatsoever also being therein respectively; and also upon and by all Persons whomsoever, whether British born or Foreigners

Foreigners, resident or being in any Country or Place within the Authority of the said Governments respectively; and in respect of all Goods, Wares, Merchandizes, Commodities and Property whatsoever being in any such Country or Place, in as full, large and ample manner as such Governor General in Council, or Governors in Council respectively may now lawfully impose any Duties or Taxes to be levied, raised or paid, upon or by any Persons whomsoever, or in any Place whatsoever, within the Authority of the said Governments respectively: Provided always, that no Imposition of any such Duty or Tax, or any Increase of any such Duty or Tax, within the said Towns of *Calcutta* or *Madras*, the said Town and Island of *Bombay*, or *Prince of Wales Island*, shall be valid or effectual, until the same shall have been sanctioned by the said Court of Directors, with the Approbation of the said Board of Commissioners, in manner hereinbefore prescribed respecting Duties and Taxes of Export, Import and Transit on Goods, Wares or Merchandize.

XCIX. And be it further enacted, That it shall and may be lawful for such Governor General in Council, and Governors in Council respectively, to make Laws and Regulations respecting such Duties and Taxes, and to impose Fines, Penalties and Forfeitures, for the Non-payment of such Duties or Taxes, or for the Breach of such Laws or Regulations, in as full and ample manner as such Governor General in Council, or Governors in Council respectively, may now lawfully make any other Laws or Regulations, or impose any other Fines, Penalties or Forfeitures whatsoever; and all such Laws and Regulations shall be taken Notice of without being specially pleaded, as well in the said Supreme Courts and Recorder's Court and Court of Judicature at *Prince of Wales Island* respectively, as in all other Courts whatsoever, within the said *British* Territories: And that it shall and may be lawful for all Persons whomsoever, to prefer, prosecute and maintain in the same Supreme Courts and Recorder's Court and Court of Judicature at *Prince of Wales Island* respectively, all manner of Indictments, Informations and Suits whatsoever, for enforcing such Laws and Regulations, or for any Matter or Thing whatsoever arising out of the same; any Act, Charter, Usage or other Thing to the contrary notwithstanding.

C. And be it further enacted, That it shall and may be lawful for the Advocate General, or other principal Law Officer of the said Company, at the several Prefidencies of *Fort William*, *Fort Saint George*, *Bombay* and *Prince of Wales Island*, to exhibit in Behalf of the said Company to the Supreme Courts of Judicature at *Fort William* and *Madras*, Recorder's Court at *Bombay*, and Court of Judicature at *Prince of Wales Island*, as Occasion shall require, against any Person or Persons whomsoever, subject to the Jurisdiction of the said several Courts respectively, any Information or Informations for any Breach or Breaches of the Revenue Laws or Regulations of any of the said Governments, or for any Fine or Fines, Penalty or Penalties, Forfeiture or Forfeitures, Debt or Debts, or Sum or Sums of Money, committed, incurred, or due by any such Person or Persons, in respect of any such Law or Regulations; and such Proceedings shall be had and taken upon every such Information as may lawfully be had or taken, in case of an Information filed by His Majesty's Attorney General in the Court of Exchequer in *England*, for any Offence committed against the Revenue Laws of

same manner as in Places without such Jurisdiction. No such Tax in *Calcutta*, *Madras*, *Bombay* or *Prince of Wales Island*, valid till sanctioned by Directors, with Approbation of Board.

Governor General and Governors in Council may make Laws and Regulations respecting such Duties and Taxes, and impose Fines and Forfeitures for Non-payment thereof.

Advocate General may exhibit Informations to the King's Courts, in Matters of Revenue, &c.

Penalties to be long to Com-pany.

Provision for summary Conviction and Punishment of British Subjects being in India without Licence or exceeding Terms of Licence.

Penalty.

*England*, or for any Fine, Penalty, Forfeiture, Debt or Sum of Money due in respect thereof; so far as the circumstances of the case, and the Course and Practice of Proceeding in the said Courts respectively will admit; and all Fines, Penalties, Forfeitures, Debts and Sums of Money, recovered or levied under or by virtue of any such Information so to be exhibited as aforesaid, shall belong to the said United Company, and the same, or the Proceeds thereof, shall be carried in their Books of Account to the Credit of the Territorial Revenues of the said Company.

‘ CI. And whereas it is expedient that Provision should be made for empowering the several Governments of the said Company in *India*, to restrain, by summary Convictions, *British* Subjects residing in *India* without Licence or Certificate, or beyond the Terms of such Licence or Certificate, in cases where such Governments may not deem it advisable to exercise the Powers vested in them of prosecuting such Persons for a Misdemeanor, or sending them to the United Kingdom;’ Be it therefore enacted, That upon Information being exhibited by the Advocate General, or other principal Law Officer of the said Company, at any of their Prefidencies in the Supreme Court of Judicature at *Fort William*, the Supreme Court of Judicature at *Madras*, the Recorder’s Court at *Bombay*, or the Court of Judicature at *Prince of Wales Island*, that any such Subject of His Majesty has been found in any Part or Place of the *East Indies*, or Parts aforesaid, to which the Jurisdiction of the Court in which such Information may be filed extends, without being duly licensed or otherwise authorized for that Purpose, it shall and may be lawful for the Court in which such Information may be filed, to cause such Person to be arrested and brought before such Court; and upon Proof being duly made before such Court of the Substance of the Matter stated in the said Information, such Person shall be required to produce or prove the Licence or other Authority under which he came to and resides in the *East Indies*, and under which he resorted to or was remaining, or found at the Place where he shall be proved to have been: And in case he shall fail to produce or prove any such Licence or Authority, or duly to account for the Non-production or Want of Proof thereof, or if upon Production or Proof thereof it shall appear to the said Court that the Residence of such Person in the *East Indies*, or his resorting to or remaining in the Place where he shall be proved to have been, was not within the true Intent and Meaning of such Licence or Authority, it shall and may be lawful for such Court, in a summary way, to convict such Offender of having been found on such a Day at such a Place within the *East Indies* or Parts aforesaid, without being duly licensed or otherwise authorized for that Purpose, and to order such Offender to pay such Fine, not exceeding Two thousand Rupees, as the said Court shall think fit, and also to commit such Offender to the Gaol of the Presidency to which such Court shall belong, for a Period not exceeding Two Months, unless such Fine shall be sooner paid; and in case such Person shall a Second time be convicted of a like Offence, either before the same or any other Court, it shall and may be lawful for such Court before which such Person shall be so convicted a Second time, to order such Offender to pay such Fine, not exceeding Four thousand Rupees, as the said Court shall think fit, and also to commit such Offender to the Gaol of the Presidency to which such Court shall



shall belong, for a Period not exceeding Four Months, unless such Fine shall be sooner paid : Provided always, that nothing herein contained shall extend or be construed to extend to repeal, alter or annul any Enactment or Provision contained in any former Act or Acts, whereby any Person so being found in the *East Indies* or Parts aforesaid, without having a Licence or other Authority for that Purpose, is or may be subjected to a Prosecution for a Misdemeanor, or whereby such Person is or may be liable to be sent to the United Kingdom : Provided nevertheless, that no Person who shall have been convicted as aforesaid, shall be liable to be prosecuted for a Misdemeanor, or sent to the United Kingdom, in respect of any Residence in the *East Indies* or Parts aforesaid, previously to the Date of such Conviction.

CII. And, for preventing any Delay of Justice, or the unnecessary Detention of Persons charged with Offences, be it further enacted, That all His Majesty's Courts exercising Criminal Jurisdiction within the said several Presidencies of the said Company, shall, and they are hereby required, Four times at the least in every Year, on such Days and at such convenient Intervals of time as the Judges of the said Courts respectively shall appoint, to hold their Sessions, for the Purpose of taking Cognizance of all Matters relating to Pleas of The Crown.

CIII. And whereas great Inconvenience and Expence have hitherto been experienced in cases of Prosecution under the Authority of the Advocate General or other principal Law Officer of the said Company, at their several Presidencies of *Fort William*, *Fort Saint George* and *Bombay* respectively, for Misdemeanors committed at a Distance from the said several Presidencies, by the ordinary Course of Indictment or Information filed with Leave of the Court ; Be it therefore enacted, That it shall and may be lawful for the Advocate General, or other principal Law Officer of the said Company at their several Presidencies in all cases of Misdemeanor alleged to have been committed by any *British* Subject, at a Distance of more than One hundred Miles from the Presidency, within the Limits whereof such Offence shall be alleged to have been committed, to file an Information *ex officio* in the Supreme Court of Judicature at *Fort William*, the Supreme Court of Judicature at *Madras*, or the Recorder's Court at *Bombay*, as the case may be ; and all such Proceedings shall and may be used and had upon such Information as may lawfully be used and had in cases of Information filed *ex officio* by His Majesty's Attorney General in His Majesty's Court of King's Bench in *England* ; any Matter or Thing to the contrary notwithstanding.

CIV. And whereas it may be doubtful whether the Governor General of *Fort William* in *Bengal*, or other Persons authorized to take, arrest and seize such Persons as may be found within the *East Indies*, and other Limits of the said Company's Charter, without Licence or other lawful Authority for that Purpose, have Power to remit or send any such Person or Persons to the said United Kingdom, except for the Purpose of being prosecuted for a Misdemeanor : And whereas it may be sufficient in many cases to remit and send such Persons to the United Kingdom, without subjecting them to further Punishment ; Be it enacted, That it shall and may be lawful for the said Governor General, or in his Absence from his Government the Vice President, the Governor of any of the said

Not to prevent British Subjects from being prosecuted for Misdemeanors, or sent Home ;  
 proviso for Residence previous to Conviction.

King's Courts regularly to hold Sessions Four times in every Year, for trying Criminal Offences.

Misdemeanors committed by British Subjects more than One hundred Miles from a Presidency ; Informations may be filed *ex officio*, and prosecuted as in Court of K. B. in *England*.

Persons residing in India without Licence, may be sent Home with.

Com-

out being afterwards prosecuted.

Company's Presidencies, the Chief Officer of the said Company resident at any *British* Settlement in the *East Indies* or Parts aforesaid, the Company's Council of Supercargoes at the Town and Factory of *Canton*, within the said Town and Factory, and upon the River of *Canton*, or other Part of the Coast of *China*, and such other Persons as may be from time to time especially deputed and authorized for that Purpose by the Court of Directors of the said United Company, to take, arrest, seize and cause to be taken, arrested and seized, at any Place or Places within the *East Indies* or Parts aforesaid, and to remit and send to the United Kingdom, on board any Ship or Ships of or belonging to or in the Service of the said Company, bound to the United Kingdom, all such Persons so being found at any such Place or Places in the *East Indies* or Parts aforesaid, without Licence or other lawful Authority for that Purpose: and the Masters or other Persons having the Command of all such Ships, shall and they are hereby authorized and required to receive, and safely and securely to keep all and every such Person and Persons who shall be sent on board any Ship or Ships for the Purpose aforesaid, until such Person or Persons shall be landed in some Port or Ports of the United Kingdom: Provided always, that every Person who shall be so put on board any such Ship for the Purpose aforesaid, shall be entitled to be discharged in such Port of the United Kingdom, in which such Ship shall be moored in safety, as such Person shall think fit.

Proviso.

‘ CV. And whereas His Majesty's *British* Subjects resident in the *British* Territories in *India*, without the Towns of *Calcutta*, *Madras* and the Town and Island of *Bombay*, are now, by Law, subject only to the Jurisdiction of His Majesty's Courts at *Calcutta*, *Madras* and *Bombay* respectively, and are exempted from the Jurisdiction of the Courts established by the said United Company within the said Territories, to which all other Persons, whether Natives or others, Inhabitants in the said Territories without the Limits of the Towns aforesaid, are amenable: And whereas it is expedient to provide more effectual Redress for the Native Inhabitants of the said Territories, as well in the case of Assault, forcible Entry, or other Injury accompanied with Force, which may be committed by *British* Subjects at a Distance from the Places where His Majesty's Courts are established, as in case of Civil Controversies with such *British* Subjects; Be it therefore enacted, That it shall and may be lawful for any Native of *India*, resident in the *East Indies*, or Parts aforesaid, and without the said Towns, in case of any Assault, forcible Entry or other Injury accompanied with Force, alleged to have been done against his Person or Property by a *British* Subject, to complain of such Assault, forcible Entry or other Injury accompanied with Force, not being Felony, to the Magistrate of the Zillah or District where the alleged Offender shall be resident, or in which such Offence shall have been committed; and that such Magistrate shall have Power and Authority, at the Instance of the Person so complaining, to take Cognizance of such Complaint, to hear Parties, to examine Witnesses, and, having taken in Writing the Substance of the Complaint, Defence and Evidence, to acquit or convict the Person accused; and, in case of Conviction, to inflict upon such Person a suitable Punishment, by Fine, not exceeding Five hundred Rupees, to be levied in case of Non-payment by Warrant under the Hand of the said Magistrate, and upon any Property of the Party so convicted, which

Justices of Peace in Provinces shall have Jurisdiction, in case of Assault and Trespasts committed by *British* Subjects on Natives of *India*.

which may be found within the said District; and if no such Property shall be found within the said District, then it shall be lawful for the said Magistrate, by Warrant also under his Hand, to commit such Offender to some Place of Confinement within the said Zillah or District, which in the Judgment of the said Magistrate shall be fit for receiving such Offender; or if there shall be no fit Place of Confinement, then to the Gaol of the Presidency, to remain there for a Period not exceeding Two Months, unless such Fine shall be sooner paid; and it shall be lawful for the said Magistrate to award the whole or any Portion of such Fine to the Party aggrieved, by way of Satisfaction for such Injury: Provided always, that in all cases of Conviction of a *British* Subject, under the Provision herein before contained, the Magistrate before whom such Conviction shall take place shall forthwith transmit Copies of such Conviction, and of all Depositions and other Proceedings relative thereto, to the Government to which the Place wherein the Offence was committed is or shall be subordinate: Provided also, that all such Fines shall be paid in the first Instance to the Magistrate before whom the Party offending shall be convicted, and the Amount thereof, after making such Satisfaction to the Party aggrieved, as aforesaid, if any, shall be transmitted by such Magistrate to the Clerk of the Crown, or other Officer to whom it belongs to receive Fines in His Majesty's Court of *Oyer* and *Terminer* and Gaol Delivery for the Province within which the Offence shall have been committed; and such Fines shall and may be disposed of in the same manner as other Fines imposed by such Court of *Oyer* and *Terminer* and Gaol Delivery: Provided also, that all such Convictions shall and may be removable by Writ of *Certiorari* into the said Courts of *Oyer* and *Terminer* and Gaol Delivery respectively, in the same manner, and upon the same Terms and Conditions, and shall be proceeded upon in the same manner in every respect as is directed in the said Act of the Thirty third Year of His Majesty's Reign, with regard to other Convictions before Justices of Peace in the *British* Settlements or Territories in *India*: Provided also, that nothing herein contained shall extend, or be construed to extend to prevent such Magistrate from committing or holding to Bail any *British* Subject, charged with any such Offence before him, in the same manner as such *British* Subject might have been committed or holden to Bail if this Act had not been passed, where the Offence charged shall appear to such Magistrate to be of so aggravated a nature as to be a fit Subject for Prosecution in any of His Majesty's Courts to which such *British* Subject may be amenable.

CVI. And be it further enacted, That in all cases of Debt not exceeding the Sum of Fifty Rupees, alleged to be due from any *British* Subjects to any Native of *India* resident in the *East Indies* or Parts aforesaid, and without the Jurisdiction of the several Courts of Request established at *Calcutta*, *Madras* and *Bombay* respectively, it shall and may be lawful for the Magistrate of the Zillah or District where such *British* Subject shall be resident, or in which such Debt shall have been contracted, to take Cognizance of all such Debts, and to examine Witnesses upon Oath, and in a summary way to decide between the Parties, which Decision shall be final and conclusive to all Intents and Purposes; and in all cases where any such Debt shall be found to be due from any *British* Subject to any such Native of

Copy of Conviction and Proceedings sent to Government.

Fines paid to Magistrate.

Application thereof. Convictions removable by *Certiorari*, and subject to 33 G. 3. c. 52. § 153, 154.

Proviso.

Justices of Peace to have Jurisdiction, in cases of small Debts due to Natives from *British* Subjects.

*India*, the Amount thereof shall and may be levied in the same manner, and subject to the same Regulations and Provisions, in respect to the Commitment of the Debtor, as are hereinbefore made and provided in respect to the levying of Fines in case of the Conviction of a *British* Subject before such Magistrate.

British Subjects residing or trading or occupying immovable Property, Ten Miles from the Presidencies, subject to Local Civil Judicature.

CVII. And be it further enacted, That all *British* Subjects of His Majesty, as well the Servants of the said United Company as others, who shall reside, or shall carry on Trade or other Business, or shall be in the Occupation or Possession of any immovable Property in any Part of the *British* Territories in *India*, at the Distance of more than Ten Miles from the several Presidencies of *Fort William*, *Fort Saint George* and *Bombay* respectively, shall be subject to the Jurisdiction of all Courts which now have or hereafter may have Cognizance of Civil Suits or Matters of Revenue, either originally or by way of Appeal, within the Districts or Places where such *British* Subjects shall so reside, or carry on Trade or Business, or possess or occupy immovable Property, in all Actions and Proceedings of a Civil Nature, and in all Matters of Revenue (except as hereinafter excepted), in the like manner as Natives of *India*, and other Persons not *British* Subjects, are now liable to the Jurisdiction of such Courts by and under the Regulations of the several Governments of *Fort William*, *Fort Saint George* and *Bombay* respectively: Provided always, that no *British* Subject shall be liable to be sued in any such Court in respect of Residence, unless he shall have his Residence within the Jurisdiction thereof at the time of commencing the Action or Proceeding against him; or that the Cause of Suit shall have arisen within the Jurisdiction of the said Court, and the Suit shall be commenced within Two Years after the Cause thereof shall have arisen, and also within Six Months after the Defendant shall have ceased to reside within such Jurisdiction; nor shall any *British* Subject be liable to be sued in any such Court in respect of his carrying on Trade or Business within the Jurisdiction thereof, unless the Cause of Suit shall have arisen within such Jurisdiction, and shall relate to the Trade or Business so carried on; nor to be sued in respect of any immovable Property possessed or occupied by him, unless such Property shall be situated within the Jurisdiction of the Court in which he shall be so sued, and such Suit shall be brought to recover the Possession or Occupation of such Property, or for Rent, or other Demand arising out of the Possession or Occupation of such Property by such *British* Subject: Provided also, that where by the Laws or Regulations in force, or hereafter to be in force, within the Provinces respectively subject to the Governments of *Fort William*, *Fort Saint George* and *Bombay* aforesaid, it would be competent to a Party to any final Judgment or Decree of any Subordinate, Civil, or Revenue Court of Judicature, to appeal therefrom to the Sudder Dewanny Adawlut, or other Court however denominated, exercising within those Provinces respectively the highest appellate Jurisdiction in Civil Suits, it shall be competent to *British* Subjects of His Majesty, in Suits commenced against them under the Provisions of this Act, instead of appealing to the said Sudder Dewanny Adawlut, or other Court so exercising the highest appellate Jurisdiction as aforesaid, to appeal to the Supreme Court of Judicature at *Fort William*, or *Fort Saint George*, or the Recorder's Court at *Bombay*, according as the Suit may have been

Restrictions as to Grounds of Jurisdiction of Local Judicatures.

Where Appeal would lie to Sudder Dewanny Adawlut, or Local Court, British Subject may appeal to His Majesty's Courts.

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commenced in the Provinces subordinate to either of the said Presidencies; and such Court shall have the same Powers as to suspending or allowing Execution of the Judgment or Decree appealed against, and as to taking Security for Costs, or for the Performance of the Decree or Judgment of the said subordinate Courts, as the said Sudder Dewanny Adawlut or other such Court as aforesaid would have had, and shall also make Rules of Practice for the Conduct of the said Appeals, in all other respects conforming in Substance and Effect as nearly as possible to the Course of Procedure of the said Sudder Dewanny Adawlut, or other such Court as aforesaid in cases of Appeal: Provided also, that nothing herein contained shall extend or be construed to extend to take away the Jurisdiction of the said Supreme Courts of Judicature at *Fort William* and *Madrass*, or the said Recorder's Court at *Bombay* respectively; but that all Persons having Cause of Action against any *British* Subject may, at their Election, instead of suing in such Provincial Courts as hereinbefore provided, commence and prosecute their said Suits in the said Supreme Courts of Judicature, and the said Recorder's Court respectively, in the same manner as before the passing of this Act: Provided also, that nothing herein contained shall extend or be construed to extend, to authorize the holding or occupying of any Land or other immoveable Property, beyond the Limits of the said several Presidencies, by any *British* Subject of His Majesty, otherwise than under and according to the Permission of the Governments of the said Presidencies.

*Proviso for Jurisdiction of King's Courts. Plaintiff may sue there, at his Election.*

CVIII. And be it further enacted, That every *British* Subject of His Majesty, not in the Service of His said Majesty, or of the said United Company, who, after the Tenth Day of *April* One thousand eight hundred and fourteen, shall go to and reside in any Part of the *British* Territories in *India*, distant more than Ten Miles from the Presidency to which the same shall be subordinate, with the Permission of the Government of such Presidency, or who shall, after the said Day, change his Residence from one Part thereof to another, distant as aforesaid, with such Permission, shall procure from the Chief Secretary of the said Government or other Officer authorized for that Purpose, a Certificate signed by the said Chief Secretary or other Officer, expressing that such *British* Subject has the Permission of such Government to reside at such Place, specifying the same, and expressing also whether such Permission has been granted during the Pleasure of such Government or for any limited time; and the said Certificate shall be deposited by such *British* Subject in the Civil Court of the District in which he shall so go to reside, within One Month after his taking up his Residence there, and shall be kept among the Records of the said Court, of which certificate so deposited, a true Copy attested by the Judge or other Officer of such Court thereto authorized, shall be given to the Party depositing the same, and shall be deemed and taken in all Courts of Justice, and on all Occasions whatsoever, to be good and sufficient Evidence of such Certificate, unless the contrary shall be shewn: And no *British* Subject not in the Service of His Majesty, or of the said United Company, going to reside in any such Part of the *British* Territories, or changing his Residence from one Part thereof to another, after the said Day, shall be allowed, while he so resides, to have or maintain any Civil Action or Proceeding (other than in the

*British Subjects, allowed to reside more than Ten Miles from Presidency, shall procure and register Certificate of such Permission in Court of District;*

*Suing in Civil Courts shall produce Copy of such Certificate, or an Affidavit accounting for not filing it.*

Nature of an Appeal) against any Person whomsoever in any Court of Civil Jurisdiction within the *British Territories in India*, until he shall have filed, in the Court in which such Action or Proceeding is commenced, a Copy of such Certificate signed by the Judge of the Court wherein the same is deposited; or an Affidavit accounting to the Satisfaction of the Court for not filing the same; and if it shall be proved to the Court in which such Action is brought, that such *British Subject* is residing at any Place within the said Territories, distant more than Ten Miles from the Presidency to which it is subordinate, without such Certificate or otherwise than according to the Permission contained in such Certificate, or that such Permission has been revoked, or that, being for a limited time, it has expired and has not been renewed, and that such *British Subject* is therefore residing without Permission at more than Ten Miles distance from such Presidency, such *British Subject* shall thereupon be nonsuited.

‘CIX. And whereas Doubts have been entertained whether Persons being Natives of *India*, in the Service of the United Company of Merchants of *England* trading to the *East Indies*, or of any of His Majesty’s Subjects, are amenable to the Jurisdiction of the Provincial Courts established in the *East Indies*, or whether such Persons, being Natives of *India*, in the Service of the said United Company, or of His Majesty’s Subjects, are not exclusively amenable to the Jurisdiction of the said Courts at *Fort William*, *Madras* and *Bombay* respectively, and it is expedient that such Doubts should be removed;’ Be it further enacted and declared, That all Persons whosoever, being Natives of *India*, who have been, now are or hereafter may be employed, by or in the Service of His Majesty, the said United Company, or of any of His Majesty’s Subjects, were, and are, and shall be subject and amenable to all Provincial Courts of competent Jurisdiction for all Crimes and Misdemeanors, and in all Actions and Suits whatsoever, of which such Courts respectively could take Cognizance, if the Persons having committed such Crimes or Misdemeanors, or against whom the Causes of such Actions or Suits shall have arisen, had not been employed by, or had not been in the Service of His Majesty, or the said United Company, or any of His Majesty’s Subjects; any Law, Usage or Practice to the contrary thereof in any ways notwithstanding: Provided always, that nothing herein contained shall any wise oust the said Supreme Courts of Judicature of *Fort William* and *Madras* and the said Court of the Recorder of *Bombay* respectively, of any Jurisdiction over any Natives of *India*, which such Courts may now lawfully exercise; but such Supreme Courts of Judicature of *Fort William* and *Madras*, and the said Court of the Recorder of *Bombay* respectively, as well as the Provincial Courts herein referred to, according to their several Jurisdictions, shall have a concurrent Jurisdiction over Natives of *India*, employed by or in the Service of the said United Company or any of His Majesty’s Subjects.

‘CX. And whereas the Courts established by the said United Company have no Jurisdiction over Crimes Maritime, and Doubts have been entertained whether the Admiralty Jurisdiction of His Majesty’s Courts at *Calcutta*, *Madras* and *Bombay*, extends to any Persons but those who are amenable to their ordinary Jurisdiction; by reason whereof Failures of Justice may arise;’ Be it therefore enacted, That it shall and may be lawful for His Majesty’s Courts

Natives of India in Service of Company, subject to Provincial Courts.

Proviso for Supreme Courts at Fort William and Madras.

Admiralty Jurisdiction of King’s Courts extended.

Courts at *Calcutta, Madras and Bombay*; exercising Admiralty Jurisdiction, to take Cognizance of all Crimes perpetrated on the High Seas, by any Person or Persons whatsoever, in as full and ample a manner as any other Court of Admiralty Jurisdiction established by His Majesty's Authority in any Colony or Settlement whatsoever belonging to The Crown of the said United Kingdom.

'CXI. And whereas Doubts have arisen whether the Advocate General or other Principal Law Officer of the said Company, at any of the said Company's Presidencies, is by Law authorized to exhibit to the respective Courts of Judicature at any of the said Presidencies, for and on behalf of His Majesty, Informations in the Nature of Actions at Law, or Bills in Equity, for or in respect of any Cause or Causes of Action, Debts, Dues, Demands, Accounts, Reckonings, Sum or Sums of Money, Stores, Goods, Chattels, or any other Matter, Cause or Thing whatsoever, which may have arisen or accrued, or which may arise or accrue to His Majesty; For Remedy thereof, be it further enacted, That it shall and may be lawful to and for the Advocate General, or other Principal Law Officer of the said Company for the time being, at each of the said Company's Presidencies respectively, for and on Behalf of His Majesty, his Heirs and Successors, to exhibit to the respective Supreme Courts of Judicature at the said Company's Presidencies of *Fort William and Madras*, or to the Recorder's Court at *Bombay*, or the Court of Judicature at *Prince of Wales Island*, any Information or Informations in the Nature of an Action or Actions at Law, or of a Bill or Bills in Equity, as Occasion shall require, against any Person or Persons residing within or being amenable to the Jurisdiction of the said Courts respectively, for or in respect of any Cause or Causes of Action, Debts, Dues, Demands, Accounts, Reckonings, Sum or Sums of Money, Stores, Goods, Chattels, or any other Matter, Cause or Thing whatsoever, as fully and effectually to all Intents and Purposes, as His Majesty's Attorney General for the time being is by Law authorized to exhibit any such Information or Informations in any of His Majesty's Courts of Law or Equity in this Realm; and that thereupon such Proceedings shall be had as far as the circumstances of the case and the Course and Practice of the said Courts of Judicature at the said several Presidencies will admit, as are had upon any such Informations exhibited by His Majesty's Attorney General in any of His Majesty's Courts of Law or Equity in this Realm.

'CXII. And whereas great Inconvenience has arisen, from requiring the Civil Servants of the said United Company, and other Persons stationed at a Distance from the Presidencies, to attend and take the Oaths in the Courts of *Oyer and Terminer* of the said Presidencies, as prescribed by the said Act of the Parliament of Great Britain of the Thirty third Year of His Majesty's Reign; Be it therefore enacted, That all Persons who shall be nominated and appointed in any such Commissions of the Peace as are in the said Act mentioned, shall be capable of acting as Justices of the Peace in every respect, according to the Tenor of such Commissions, upon taking and subscribing in any Civil or Criminal Court of Justice, within the Provinces in and for which any such Commission shall have issued before any other Justice of the Peace, the like Oaths as

Advocate General of Company may file Informations in King's Courts, for Debts due to His Majesty.

33 G. 3. c. 52.  
§ 152.

Justices of Peace may qualify by taking Oaths in any Court of Justice within Provinces.

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are appointed by the said Act to be taken in the Court of *Oyer and Terminer* of the Province or Presidency for which such Persons shall be appointed to act as Justices of the Peace; and the Subscription of such Persons to the said Oaths shall be deposited and kept with the Records of the Courts of Justice in which the said Oaths shall have been administered.

Provincial Courts of highest Jurisdiction, may arrest in Civil or Criminal Process within Presidencies notwithstanding Jurisdiction of King's Courts.

Process to be in Writing, with an English Translation, and signed by a Judge.

Stealing Choses in Action within Jurisdiction of King's Courts punishable like Stealing Goods.

‘CXIII. And whereas it is expedient that the *Sudder Dewanny Adawlut*, and *Nizamut Adawlut*, or other Provincial Courts, however denominated, exercising the highest Jurisdiction within the Provinces respectively subject to the Governments of *Fort William*, *Fort Saint George* and *Bombay*, should have Power and Authority to execute Process of Arrest, either Civil or Criminal, within the Towns of *Calcutta* and *Madras*, and the Town and Island of *Bombay*, notwithstanding the Jurisdiction of His Majesty's Courts established at those Places respectively;’ Be it therefore enacted, That it shall and may be lawful for the said Court of *Sudder Dewanny* and *Nizamut Adawlut*, or other Provincial Courts aforesaid, to execute or cause to be executed upon all Persons subject to the Jurisdiction of such Courts respectively, all manner of lawful Process of Arrest, within the respective Limits of the Towns of *Calcutta* and *Madras*, and of the Town and Island of *Bombay*, in the same manner as the said Courts respectively may, by virtue of any Power now vested, or hereafter to be vested in them, lawfully execute, or cause to be executed, such Process in any Place situate without the said Limits; any Act, Charter or other Matter or Thing whatsoever to the contrary notwithstanding: Provided always, that all such Process which shall be executed within the Limits aforesaid, shall be in Writing, and shall have underwritten or indorsed thereon, or otherwise annexed thereto, a Translation thereof, or of the Substance thereof, in the *English* Language and Character, signed by one of the Judges of the Court from whence the same shall issue.

‘CXIV. And whereas it is expedient, for the Protection of Property and Trade in the *East Indies*, that the stealing or taking by Robbery, of Securities for the Payment of Money within the *East Indies*, should be made Felony, and should be punishable as Felony; and also, that further Provisions should be made for the Punishment of the Crimes of Forgery, and of uttering forged Instruments, and of counterfeiting the Current Coin, and uttering such Counterfeit Coin, in the *East Indies*;’ Be it therefore enacted, That if any Person or Persons within the local Limits of the Criminal Jurisdiction of any of His Majesty's Courts at *Fort William*, *Fort Saint Georges*, *Bombay* or *Prince of Wales Island*, or if any Person or Persons personally subject to the Jurisdiction of any of the said Courts, at any Place in the *East Indies*, or any Place between the *Cape of Good Hope* and the *Streights of Magellan*, where the said Company shall have a Settlement, Factory or other Establishment, shall steal or take by Robbery any Bond, Bill of Exchange, Promissory Note, Treasury Note, Banker's Note, Order, Acknowledgment or other Security or Warrant for the Payment of Money, or entitling any Person to the Payment of Money, being the Property of any other Person or Persons, or of any Corporation, notwithstanding any of the said Particulars are termed in Law a *Chose in Action*, it shall be deemed and construed to be Felony, of the same Nature, and in the same Degree, and with or without the Benefit of Clergy, in the same



same manner as it would have been if the Offender had stolen or taken by Robbery any other Goods of like Value with the Money due on such Bond, Note, Bill, Order, Acknowledgment, Warrant or other Security respectively, or secured thereby, and remaining unsatisfied; and such Offender and Offenders shall suffer such Punishment as he, she or they would or might have done, if he, she or they had stolen other Goods of the like Value with the Monies due on such Bond, Note, Bill, Order, Acknowledgment, Warrant or other Security respectively, or secured thereby, and remaining unsatisfied; any Law to the contrary thereof in any wise notwithstanding.

CXV. And be it further enacted, That if any Person or Persons within the local Limits of the Criminal Jurisdiction of the said Courts, or if any Person or Persons personally subject to the Jurisdiction of any of the said Courts, at any Place in the *East Indies*, or at any Place between the *Cape of Good Hope* and the *Streights of Magellan*, where the said Company shall have a Settlement, Factory or other Establishment, shall falsely make, forge, counterfeit or alter, or cause or procure to be falsely made, forged, counterfeited or altered, or willingly act or assist in the false making, forging, counterfeiting or altering, any Deed, or any written Instrument for the Conveyance of any Property or Interest in any Land, House or Goods, or for securing the Payment of Money, or any Will, Testament, Bond, Writing obligatory, Bill of Exchange, Promissory Note for Payment of Money, or any Indorsement or Assignment of any Bill of Exchange, or Promissory Note for the Payment of Money, or any Acceptance of any Bill of Exchange, or any Acquittance or Receipt either for Money or Goods, or any accountable Receipt of any Note, Bill or other Security for Payment of Money, or any Warrant or Order for Payment of Money or Delivery of Goods, with Intention to defraud any Person whatsoever, or any Corporation; or shall utter or publish as true, or sell, offer or dispose of, or put away, within the Limits aforesaid, any false, forged, counterfeited or altered Deed, written Instrument for the Conveyance of Property or Interest in any Land, House or Goods, or for securing the Payment of Money, or any Will, Testament, Bond, Writing obligatory, Bill of Exchange, Promissory Note for Payment of Money, Indorsement or Assignment of any Bill of Exchange or Promissory Note for Payment of Money, Acceptance of any Bill of Exchange, Acquittance or Receipt, either for Money or Goods, accountable Receipt for any Note, Bill, or other Security for Payment of Money, Warrant or Order for Payment of Money, or Delivery of Goods, with Intention to defraud any Person, or any Corporation, knowing the same to be false, forged, counterfeited or altered; it shall and may be lawful for the Court before which any such Person or Persons shall be convicted of any such Offence by due Course of Law, to order and adjudge that such Person or Persons shall be transported to such Place beyond the Seas, and for such Term of Years, as the said Court shall direct.

Forgery.

Transportation.

Counterfeiting  
current Coin.

CXVI. And be it further enacted, That if any Person or Persons within the local Limits of the Criminal Jurisdiction of the said Courts, or if any Person or Persons personally subject to the Jurisdiction of any of the said Courts, at any Place in the *East Indies*, or at any Place between the *Cape of Good Hope* and the *Streights of Magellan*,

*Magellan*, where the said Company shall have a Settlement, Factory or other Establishment, shall counterfeit or procure to be counterfeited, or willingly act or assist in counterfeiting, any of the Gold or Silver Coins of any of the *British* Governments in *India*, or any Gold or Silver Coin usually Current and received as Money in Payments in any Part of the *British* Possessions in the *East Indies*, it shall and may be lawful for the Court before which any such Person or Persons shall be convicted of any such Offence by due Course of Law, to order and adjudge, that such Person or Persons shall be transported to such Place beyond the Seas, and for such Term of Years, as the said Court shall direct.

Transportation.

Uttering counterfeit Coins.

CXVII. And be it further enacted, That if any Person or Persons within the local Limits of the Criminal Jurisdiction of the said Courts, or if any Person or Persons personally subject to the Jurisdiction of any of the said Courts, at any Place in the *East Indies*, or at any Place between the *Cape of Good Hope* and the *Streights of Magellan*, where the said Company shall have a Settlement, Factory or other Establishment, shall utter, or tender in Payment, or sell, or give in Exchange, or pay or put off to any Person or Persons, any such false or counterfeited Coin as aforesaid, knowing the same to be false or counterfeited, and shall be thereof convicted, every Person so offending shall suffer Six Months' Imprisonment, and shall at the Discretion of the Court before which he or she shall be so convicted, be sentenced to Hard Labour during the Term of such Imprisonment, and find Sureties for his or her Good Behaviour for Six Months more, to be computed from the End of the said first Six Months;

First Offence.

Second Offence.

and if the same Person shall afterwards be convicted a Second time of the like Offence, of uttering or tendering in Payment, or giving in Exchange, or paying or putting off any such false or Counterfeit Coin as aforesaid, knowing the same to be false or counterfeit, such Person shall for such second Offence suffer Two Years' Imprisonment, and also, at the Discretion of the Court before which he or she shall be so convicted, be sentenced to Hard Labour during the Term of such Imprisonment, and find Sureties for his or her Good Behaviour for Two Years more, to be computed from the End of the said first Two Years; and if the same Person shall afterwards offend a Third time, in uttering or tendering in Payment or giving in Exchange, or paying or putting off any such false or Counterfeit Coin as aforesaid, knowing the same to be false or counterfeit, and shall be convicted of such Third Offence in any of the Courts aforesaid, he or she shall be sentenced to Transportation for Life to such Place beyond the Seas as the said Court shall direct.

Third Offence.

Certificate of former Conviction in Courts, sufficient Proof of such Conviction.

CXVIII. And be it further enacted, That if any Person or Persons having been convicted of any Offence or Offences by virtue of this Act, shall again be prosecuted in any Court, other than the Court or Courts wherein such Person or Persons shall have been before convicted for a like Offence, whereby such Person or Persons would be subject to an increased Punishment, the Clerk of the Crown or other Officer to whom it may belong to keep the Records of the Court where any such Conviction shall have taken place, shall, at the Request of the Prosecutor, or any other Person on His Majesty's Behalf, certify the same, by Writing under his Hand, in a few Words containing the Substance and Effect of such Conviction; for which Certificate One Rupee and no more shall be paid; and such Certificate

Certificate being produced in Court shall be sufficient Proof of such former Conviction.

**CXIX.** And be it further enacted, That if any Person or Persons within the local Limits of the Criminal Jurisdiction of the said Courts, or if any Person or Persons personally subject to the Jurisdiction of any of the said Courts, at any Place in the *East Indies*, or at any Place between the *Cape of Good Hope* and the *Streights of Magellan*, where the said Company shall have a Settlement, Factory or other Establishment, shall have in his, her or their Custody without lawful Excuse, the Proof whereof shall lie on the Party accused, any greater Number of Pieces than Five Pieces of such false or Counterfeit Coin as aforesaid, every such Person being thereof convicted upon the Oath of One or more credible Witness or Witnesses, before One of His Majesty's Justices of the Peace, or if there should be no Justice of the Peace duly qualified to act in the Place where such Offence shall be committed, before One of the Judges of His Majesty's Court there, shall forfeit and lose all such False and Counterfeit Coin, which shall be cut in Pieces and destroyed by order of such Justice or Judge, and shall for every Offence forfeit and pay any Sum of Money not exceeding in Value Forty Sicca Rupees or less than Twenty Sicca Rupees in the Currency of the Place in which such Offence shall be committed, for every such Piece of false or Counterfeit Coin which shall be found in the Custody of such Person; One Moiety to the Informer or Informers, and the other Moiety to the Poor of the Presidency, Settlement or Place, in which such Offence shall be committed; and in case any such Penalty shall not be forthwith paid, it shall be lawful for such Justice or Judge to commit the Person or Persons who shall be adjudged to pay the same, to the Common Gaol or House of Correction, there to be kept to Hard Labour for the Space of Three Calendar Months, or until such Penalty shall be paid.

Having in Possession more than Five Pieces of Counterfeit Coin, without lawful Excuse.

Penalty.

Imprisonment.

**CXX.** And be it further enacted, That if any Person or Persons within the local Limits of the Criminal Jurisdiction of the said Courts, or if any Person or Persons personally subject to the Jurisdiction of any of the said Courts, at any Place in the *East Indies*, or at any Place between the *Cape of Good Hope* or the *Streights of Magellan*, where the said Company shall have a Settlement, Factory or other Establishment, shall counterfeit, erase, alter or falsify any Licence, authorizing any Ship or Vessel to proceed to any Place in the *East Indies*, or Parts aforesaid, or any Licence or Certificate authorizing any Person to go to or reside at any such Place, or any attested Copy of any such Licence or Certificate, or shall utter or publish as true, any such counterfeited, erased, altered or falsified Licence, Certificate or attested Copy, knowing the same to be counterfeited, erased, altered or falsified, and shall be convicted thereof, every Person so offending shall suffer such Imprisonment not exceeding One Year, and shall pay such Fine not exceeding in Value One thousand Sicca Rupees in the Currency of the Place in which such Offence shall be committed, as the Court before which he or she shall have been so convicted, shall direct.

Counterfeiting Licences or Certificates, or attested Copies thereof.

Punishment.

**CXXI.** And be it further enacted, That the Governments of the said Presidencies and Settlements respectively shall and they are hereby required, to take Order for the due Performance of all Sentences of Transportation pronounced by any of the said Courts, under and by

Government to carry Sentences of Transportation into Execution; but Na-  
virtue

tives not transported beyond a certain Distance.

virtue of this Act: Provided always, that it shall not be lawful for any such Court to order the Transportation of any Person being a Native of *India* and not born of *European* Parents, to any Part beyond the Seas, situated more than Thirty Degrees North, or Twenty five Degrees South of the Line.

Perjury.

CXXII. And be it further enacted, That if any Person or Persons whomsoever shall be convicted of making a false Oath, touching any of the Matters directed or required by this Act to be testified on Oath, such Person or Persons so convicted as aforesaid shall be deemed guilty of Perjury, and shall be liable to the Pains and Penalties to which Persons guilty of Perjury are liable by any Law in force in that Part of the said United Kingdom called *England*; and if any Person shall corruptly procure or suborn any other Person or Persons to swear falsely in any such Oath, such Person, being duly convicted of such procuring and suborning, shall, for every such Offence, incur and suffer such Penalties, Forfeitures, Pains and Disabilities, as Persons convicted of Perjury are respectively liable unto, by any Law in force in the said Part of the United Kingdom called *England*.

Subornation of Perjury.

General Issue.

CXXIII. And be it further enacted, That if any Suit or Action shall be brought or commenced against the said United Company, or any of their Servants, or any Person or Persons acting by their Authority, for the Recovery of any Costs or Damages for the unlawful taking, arresting, seizing, imprisoning, sending or bringing into the United Kingdom, of any Person or Persons found in the *East Indies* or other Parts aforesaid, within the Limits of the said Company's Charter, or as not being authorized to reside or traffick there, the Defendant or Defendants to such Suit or Action may plead the General Issue, and give the special Matter in Evidence for his or their Defence; and the Proof shall lie on the Plaintiff or Plaintiffs upon the Trial of the Issue, to shew that, at the time or times of arresting or seizing such Person or Persons respectively for the Causes aforesaid, in the manner in which such arresting or seizing shall be laid or charged to have been done in or by the Declaration or Declarations in such Suits or Actions, the Person or Persons so arrested was or were in the Military or Marine Service of His Majesty, his Heirs or Successors, or was or were under Covenant to serve the said Company in *India*, or was or were duly possessed of a Licence or Licences, Certificate or Certificates in Writing, authorizing him or them to go to or reside and traffick in the *East Indies* or Parts aforesaid, or that the Person or Persons, not being in His Majesty's Service, was or were at the time or times of his or their being so seized or arrested, entitled or authorized, by the Stipulation of such Covenants, Licences or Certificates respectively, to remain and continue in *India* or other the Parts aforesaid; and in Failure of such Proof, the Plaintiff or Plaintiffs shall become nonsuited; and in such case, or in any other cases wherein the Plaintiff or Plaintiffs shall become nonsuited, or wherein Judgment shall be given against such Plaintiff or Plaintiffs upon Demurrer, or where a Verdict shall pass for the Defendant or Defendants, he or they shall have Treble Coits awarded to be paid by the respective Plaintiff or Plaintiffs in such Suit or Action; any Law, Statute or Provision to the contrary notwithstanding.

Proof on Plaintiff.

Treble Coits.

**CXXIV.** And be it further enacted, That all Suits and Prosecutions for any thing done under or by virtue of this Act, shall be commenced within the Space of Three Years after the Cause of Complaint shall have arisen; or being done in the United Kingdom, in the Absence of any Person beyond Sea aggrieved thereby, then within the Space of Three Years next after the Return of such Person to the United Kingdom.

Limitation of Suits.

**CXXV.** And be it further enacted, That so much and such Parts of this Act, in respect whereof no particular time or times of Commencement is or are herein named or appointed, shall have Commencement from and after the Tenth Day of *April* One thousand eight hundred and fourteen.

Commencement of Act.

### C A P. CLVI.

An Act to provide for the Payment of the Charge of the Annuities created in respect of the Sum of Six Millions granted for the Service of *Ireland*, for the Year One thousand eight hundred and thirteen. [21st July 1813.]

**W**HEREAS the Commons of the United Kingdom in Parliament assembled, have resolved, that the Sum of Twenty seven Millions be raised in *Great Britain* by Annuities for the Service of the Year One thousand eight hundred and thirteen, whereof the Charges of Six Millions are to be defrayed on the Part of *Ireland*; and that the Contributors to the said Sum should for every One hundred Pounds contributed and paid, be entitled to the Sum of One hundred and ten Pounds in Reduced Annuities, after the Rate of Three Pounds *per Centum*, and also the Sum of Sixty Pounds in Consolidated Annuities, after the Rate of Three Pounds *per Centum*; and likewise to an Annuity of Eight Shillings and Six pence *per Centum*, to continue for Forty six Years and Nine Months: And whereas it is expedient, that Provision should be made for the Payment out of the Exchequer of *Ireland* into the Exchequer of *Great Britain*, of the Charges of the said Annuities; 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 Commissioners of His Majesty's Treasury in *Ireland*, or any Three or more of them for the time being, shall from time to time, without any further Warrant to be sued for, had or obtained in this Behalf, cause to be issued at the Receipt of His Majesty's Exchequer in *Ireland* out of the Consolidated Fund of *Ireland*, and paid into the Receipt of His Majesty's Exchequer in *England*, so much Monies as shall be sufficient from time to time to answer to the said Exchequer in *England* the several and respective Annuities and other Payments directed to be paid thereout by any Act or Acts of this Session of Parliament in respect of the said Sum of Six Millions, and that such Payments shall be made into the said Exchequer in *England*, in manner following; that is to say, such of the said Sums as shall be paid for the said Reduced Annuities, and for the said Annuity of Eight Shillings and Six pence for the Term of Forty six Years and Nine Months, in respect of the said Sum of Six Millions Half-yearly by equal Portions, on or before the Fifth Day of *October* and the First Day

C. 69. ante.

Money issued from the Consolidated Fund of *Ireland* sufficient to pay Annuities in respect of 6,000,000. granted for Service of *Ireland*.

of

of *April* in every Year, the First Payment thereon to be made on or before the Fifth Day of *October* One thousand eight hundred and thirteen, and such of the said Sums as shall be paid for the said Consolidated Annuities, in respect of the said Sum for the First Year on or before the First Day of *January* One thousand eight hundred and fourteen, and afterwards Half-yearly by equal Portions, on or before the First Day of *July* and the First Day of *January* in every Year.

## C A P. CLVII.

An Act for granting the Sum of Fifty thousand Pounds to *John Palmer* Esquire, in Consideration of the Public Services performed by the said *John Palmer* in the Improvement of the Post Office Revenue. [21st July 1813.]

‘ Most Gracious Sovereign,

‘ **W**HEREAS the Commons of the United Kingdom in Parliament assembled have resolved that a Sum not exceeding Fifty thousand Pounds be granted to *John Palmer* Esquire, out of the Consolidated Fund of *Great Britain*, in Consideration of the Accommodation afforded to the Public, and the Benefit derived to the Revenue from the Adoption of his Plan for the Conveyance of the Mails, and in full Satisfaction for the Services performed by the said *John Palmer*; 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 the Sum of Fifty thousand Pounds shall be issued and paid, out of the said Consolidated Fund of *Great Britain*, to the said *John Palmer* Esquire, without any Fee or other Deduction whatsoever, in full Satisfaction and Discharge for the Services performed by the said *John Palmer*, in the Accommodation so afforded to the Public, and the Benefit derived to the Post Office Revenue as aforesaid; and which said Sum of Fifty thousand Pounds the said *John Palmer* accepts in full Satisfaction of such Services: Provided always, that nothing herein contained shall affect the Payment of a certain Pension or annual Allowance of Three thousand Pounds heretofore made to the said *John Palmer* out of the Revenues of the Post Office, by virtue of an Order of the Lords Commissioners of His Majesty’s Treasury, bearing Date the Twenty eighth Day of *June* One thousand seven hundred and ninety three.

50,000l. granted to *John Palmer* Esq. out of Consolidated Fund.

## C A P. CLVIII.

An Act for vesting in His Majesty certain Parts of *Windfor Forest*, in the County of *Berks*; and for inclosing the Open Commonable Lands within the said Forest.

[21st July 1813.]

‘ **W**HEREAS the King’s Most Excellent Majesty is seized, to Himself, his Heirs and Successors, of *Windfor Forest* in the County of *Berks*, subject to such Manorial Rights, Common of Pasturage and other Rights as the Lords of Manors, Freeholders and

and Copyholders of Lands and Tenements, situate and being in the several Parishes within the said Forest, have on those Parts of the Open and Waste Lands, within the said respective Parishes, where such Lords of Manors, Freeholders or Copyholders are seised of any such Manors, Lands and Tenements: And whereas the Bounds and Limits of the said Forest extend over and comprize the Whole of the several Parishes of *Old Windsor, New Windsor, Winkfield, Sunninghill, Binfield, Easthampstead, Sandhurst, Finchampstead, Barkham, Wokingham and Arborfield*, and Parts of the Parishes of *Clewer, Bray, Hurst and Swallowfield*, in the said County of *Berks*; and there are within the said Forest several Open Woods and Waste Lands, containing in the whole Twenty four thousand Acres or thereabouts: And Whereas the King's Most Excellent Majesty is or claims to be seised, to Himself, his Heirs and Successors, of the Manors of *Old Windsor and New Windsor*, in the said County of *Berks*; and in respect thereof, to be entitled to the Soil of all the Wastes within the said Manors, and the Timber thereon: And Whereas *Henry Powney Isberwood* Esquire is or claims to be seised and is in Possession of the Manor or Lordship of *Old and New Windsor*, in the said County of *Berks*, commonly called or known by the Name or Style of "The Manor of the Rectory of *Old Windsor*, in the County of *Berks*," and in respect thereof claims to be entitled to the Soil of all the Wastes within the said Manor, and the Timber thereon: And Whereas a Suit is now depending in His Majesty's Court of Exchequer, between His Majesty's Attorney General on Behalf of His Majesty, and the said *Henry Powney Isberwood*, touching the Right and Title to the said Manors of *Old and New Windsor*: And Whereas the Mayor, Bailiffs and Burgessees of the Borough of *New Windsor*, in the County of *Berks* aforesaid, claim some Right and Interest in or to the Waste Lands within the said Parish of *New Windsor*, intended as hereinafter mentioned to be inclosed under the Powers of this Act, by virtue of certain Charters or Grants from some of His Majesty's Royal Predecessors: And Whereas the King's Most Excellent Majesty is also seised, to Himself, his Heirs and Successors, of the Scite of the Manor or Farm of *Shaw*, in the Parish of *New Windsor* aforesaid, and in respect thereof is entitled to the Soil of all the Waste Lands within the Scite of the said Manor, and to the Timber thereon, subject to a Grant or Demise of the said Scite, with divers Lands thereto belonging or appertaining, to the Queen's Most Gracious Majesty, and Their Five younger Daughters: And Whereas *Thomas Smith Barwell* Esquire claims the Manor or reputed Manor of *Coworth*, in the Parish of *Old Windsor*, in the said County of *Berks*; and in respect thereof claims to be entitled to the Soil of all the Waste Lands in the said Manor: And Whereas the King's Most Excellent Majesty is seised, to Himself, his Heirs and Successors, of the Manor of *Cookham* in the said County of *Berks*, and in respect thereof claims to be entitled to the Soil of all the Waste Lands within the said Manor, and to the Timber thereon; subject to a Leate of the said Manor of *Cookham* granted to the late Right Honourable *James Earl of Cardigan* deceased, in Trust for His Majesty, and now vested in the legal R. presentatives of the said Earl of *Cardigan*: And Whereas *Charles Browning* Esquire claims to be seised of the Manor or Lordship of *Diapers*, otherwise *Deepers*, otherwise

Lords of  
Manors and  
Claims of Ma-  
norial Rights.

• *Binfield*, within the Parish of *Binfield* aforesaid, and in respect  
 • thereof claims to be entitled to the Soil of all the Wastes within  
 • the said Manor: And Whereas a Suit is now depending in His  
 • Majesty's Court of Exchequer, between His Majesty's Attorney  
 • General on Behalf of His Majesty, and the said *Charles Browning*,  
 • touching the Right of the said *Charles Browning* in and to the said  
 • Manor: And Whereas *George Simpson* Esquire is seised to himself  
 • and his Heirs, and is in Possession of the Manor of *Sunningbill*, in  
 • the said County of *Berks*, and in respect thereof claims to be entitled  
 • to the Soil of all the Waste Lands within the said Manor: And  
 • whereas the Master, Fellows and Scholars of *Saint John's College*  
 • in the University of *Cambridge* are seised to themselves and their  
 • Successors, and are in Possession of the Manor of *Chawridge*,  
 • and also of the Manor of *Broomball*, and in respect thereof  
 • claim to be entitled to the Soil of all the Waste Lands within the  
 • said Manors respectively: And Whereas the King's Most Excellent  
 • Majesty is also seised to Himself, his Heirs and Successors, of the  
 • Manor of *Bray*, in the said County of *Berks*, and in respect thereof  
 • is also entitled to the Soil of all the Waste Lands within the said  
 • Manor, and to the Timber thereon, subject to a Lease of the said  
 • Manor granted to the said late Earl of *Cardigan*, in Trust for His  
 • Majesty, and now vested in the legal Representatives of the said Earl  
 • of *Cardigan*: And Whereas Part of the said Waste Lands in the said  
 • last mentioned Manor are situate and lying within the Limits and  
 • Boundaries of the said Forest of *Windsor*, and it is proposed that a  
 • certain Part thereof, as hereinafter described, shall be vested in His  
 • Majesty, his Heirs and Successors, as a Compensation for the  
 • Right of His Majesty in and to the Soil of all the Waste Lands  
 • within the said Manor of *Bray*, and as an Equivalent for all Forestal  
 • Rights over all such other Parts of the said Manor as lie within the  
 • Limits and Boundaries of the said Forest: And Whereas the King's  
 • Most Excellent Majesty is seised, to Himself and his Heirs, in his  
 • own private Right, of the Manor of *Winkfield*, in the said County  
 • of *Berks*, and in respect thereof claims to be entitled to the Soil  
 • of all the Waste Lands within the said Manor, and His Majesty is  
 • entitled to the Timber and other Trees standing on certain Parts of  
 • the Waste Lands within the said Manor: And Whereas *Daniel*  
 • *Agace* Esquire claims some Right and Interest in the Soil of the  
 • Waste Lands within the said Parishes of *Sunningbill* and *Winkfield*,  
 • or one of them, in Right of his Manor or reputed Manor of *Ascot*,  
 • otherwise *Esfcott*, alleged to be within the said Parishes of *Sunning-*  
 • *hill* and *Winkfield*: And Whereas *Arthur Vansittart* Esquire is seised  
 • to himself and his Heirs of the Manor of *Clewer*, in the said County  
 • of *Berks*, and in respect thereof is entitled to the Soil of all the  
 • Waste Lands within the said Manor; and His Majesty is entitled to  
 • all the Timber and other Trees standing on all and every the Waste  
 • Lands within the said Manor; and Part of the Waste Lands of  
 • the said Manor containing Three hundred and thirty two Acres  
 • Three Roods and Thirty seven Perches, including Lanes and  
 • Roads, lie within the said Forest of *Windsor*, on great Part whereof  
 • there is Timber now standing, the Property of His Majesty: And  
 • Whereas the Honourable *Laura Keppel* is Lady of the Manor of  
 • *Clewer*, *Brocas* and *Dedworth Mansel*, situate in the Parishes of  
 • *New Windsor* and *Clewer*, and the Hamlet of *Dedworth*, in the  
 • County



County of *Berks*, and as such claims to be entitled to the Waste Land and the Timber growing thereon, within and belonging to the said Manor: And Whereas the most Honourable *Arthur Marquis of Downshire* is seised to himself and his Heirs of the Manor and Park of *Easthampstead*, in the said County of *Berks*, and in respect thereof is entitled to the Soil of the Waste Lands in the said Manor: And Whereas *Richard Heavyside* Esquire is seised to himself and his Heirs of the Manor of *Sandhurst*, in the said County of *Berks*, and in respect thereof is entitled to the Soil of all the Waste Lands in the said Manor: And Whereas *Charles Fyfe Palmer* Esquire is seised to himself and his Heirs of the Manor of *Finchampstead East Court*, in the Parish of *Finchampstead*, in the said County of *Berks*, and in respect thereof is entitled to the Soil of all the Waste Lands in the said Manor: And Whereas the Reverend *Henry Ellis Saint John* Clerk claims the Manor of *Finchampstead West Court*, in the said Parish of *Finchampstead*, and in respect thereof to be entitled to the Soil of all the Waste Lands in the said Manor: And Whereas *John Leveson Gower* Esquire is seised to himself and his Heirs of the Manor of *Barkham*, in the said County of *Berks*, and in respect thereof is entitled to the Soil of all the Waste Lands in the said Manor: And whereas *Robert Palmer* Esquire, an Infant, or his Trustees, is or are seised of the Manor of *Sonning* and the Hundred of *Sonning*, in the said County of *Berks*, and in respect thereof is or are entitled to the Soil of all the Waste Lands in the said Manor of *Sonning*: And Whereas *George Henry Crutchley* Esquire, and *William Charles Lamplow* Esquire, claim the Manors of *Beaches* and *Mayeres*, and *Norreyfes* otherwise *Norrys*, in the Parish of *Wokingham* in the said County of *Berks*, and in respect thereof to be entitled to the Soil of the Waste Lands in the said Manors: And Whereas *Charles Cove* is seised of the Manor of *Buckhurst*, in the said County of *Berks*, and in respect thereof claims to be entitled to the Soil of all the Waste Lands in the said Manor: And Whereas *John Roberts* Esquire is seised to him and his Heirs of the Manor or reputed Manor of *Evencons* otherwise *Evencons*, in the Parish of *Wokingham*, in the said County of *Berks*, and in respect thereof is entitled to the Soil of the Waste Lands in the said Manor: And Whereas *Timothy Hare Earle* Esquire is seised to him and his Heirs of the Manor or reputed Manor of *Swallowfield*, in the said County of *Berks*, and in respect thereof is entitled to the Soil of the Waste Lands in the said Manor: And Whereas the King's Most Excellent Majesty, in Right of His Crown, and also in His separate Capacity and private Right, is, and several other Persons are, seised of divers inclosed Lands, Tenements and Hereditaments, within all or some of the Manors, Parishes and Liberties aforesaid, and in Right thereof (subject as to the greater Part thereof to the Forestal Right of His Majesty) are entitled to Rights of Common in and over the open Parts of the said Forest of *Windsor*: And whereas it has been proposed, on the Part of His Majesty, that a Division and Inclosure of the Open and Waste Lands within the said Forest shall be made on the following Terms and Conditions; that is to say, That in each and every of such Parishes, the Whole whereof lie within the Boundaries and Limits of the said Forest, and such Parishes, Part whereof only lie within the said Boundaries and Limits, there shall be set out and allotted,

Proposed Division and Inclosure of the Waste Lands in the Forest.

' in the manner hereinafter mentioned, unto and for His Majesty, his  
 ' Heirs and Successors, in full Satisfaction for all His Rights of Forest,  
 ' so much of the Open and Waste Lands within each of the said Pa-  
 ' rishes or Parts of Parishes and Liberties so lying within the said  
 ' Boundaries and Limits, as shall amount and be equal to Nine  
 ' Thirty second Parts of the whole of the Open and Waste Lands in  
 ' each of the said Parishes or Parts of Parishes and Liberties respec-  
 ' tively, Quantity and Quality considered; and that certain Parts of  
 ' the said Open and Waste Lands hereinafter particularly described,  
 ' shall form Part of the said Allotment, and that after such Nine Thirty  
 ' second Parts shall be so set out and allotted for His Majesty as afore-  
 ' said, all the Remainder of the Open and Waste Lands within the said  
 ' Forest shall remain to and for the Use and Benefit of all the Lords  
 ' of Manors and Owners of the Soil of the Waste Lands, and the Pro-  
 ' prietors of inclosed Lands and Tenements within the said Forest,  
 ' having Rights of Common thereon, and unto or for the Use or  
 ' Benefit of the Poor of the respective Parishes and Liberties within  
 ' the said Forest: Yet so farasmuch as such Proposal cannot be carried  
 into Effect without the Aid and Authority of Parliament: May  
 it therefore please Your Majesty that it may be enacted; and be it  
 enacted by the King's Most Excellent Majesty, by and with the  
 Advice and Consent of the Lords Spiritual and Temporal, and  
 Commons, in this present Parliament assembled, and by the Authority  
 of the same, That it shall be lawful for the Commissioners hereinafter  
 to be named on the Part of His Majesty and the Owners and Pro-  
 prietors of Estates in the said Parishes respectively, and they are  
 hereby required, to set out and allot unto and for His Majesty, his  
 Heirs and Successors, in each and every of the Parishes within the said  
 Forest, so much of the Open and Waste Land within each and every  
 of such Parishes and Liberties, Quantity, Quality and Situation  
 considered, as shall be equal to Nine Thirty second Parts of the  
 whole of the Waste Lands in each and every of such Parishes and  
 Liberties respectively, which shall lie and be within the Boundaries  
 and Limits of the said Forest of *Windsor*, in Satisfaction of His  
 Majesty's Forestal Rights in and over such Parishes respectively.

Allotments  
 amounting to  
 Nine Thirty  
 second Parts of  
 the Waste to be  
 made to His  
 Majesty in all  
 the Parishes in  
 the Forest.

Specific Parts of  
 Wastes allotted  
 to His Majesty.

II. And be it further enacted, That such Parts of the said Com-  
 mons and Waste Lands as are hereinafter particularly mentioned and  
 described, shall form and be considered as Part of the said Allotment,  
 and shall be accordingly set out and allotted by the said Commissioners  
 to and for the exclusive Use of His Majesty, his Heirs and Suc-  
 cessors, either in full or in part (as the case may be) of the said Nine  
 Thirty second Parts of the said Commons and Wastes, or of such  
 other Parts of the said Commons and Wastes as His Majesty may  
 be entitled to under or by virtue of any of the Provisions herein  
 contained; that is to say, in the Parish of *Clewer* aforesaid, so  
 much of the said Common and Waste Lands as lies on the North  
 Side of *Cranbourn Park*, extending on the West, South and North;  
 as far as the Limits of the said Parish, and on the East as far into  
 the said Parish of *Clewer*, as may be necessary to give the aforesaid  
 Proportion of Nine Thirty second Parts, or such other Parts as afore-  
 said; and in the Parish of *Bray* aforesaid, so much of the said Com-  
 mon and Waste Lands as is called or known by the Name of *Bray-  
 wood* or *New Lodge Wood*, and whereon Timber is now growing,  
 or by whatsoever other Name or Names such Part of the said Waste

to

so covered with Wood as aforesaid may be called or known, bounded on the South and East Sides by the said Parish of *Clewer*, and on the North by the Enclosures in the said Parish of *Bray*, and on the West by other Parts of the Common and Waste of the said Parish of *Bray*, commonly called *Sparborough Hill*; and in the Parish of *Winkfield* aforesaid, so much of the said Commons and Waste Lands as is called or known by the Name of *Winkfield Plain*, bounded on the West Side by the Road from *New Lodge* to *Hatchet Lane*; and also so much of the Open Wood and Waste Lands called *Cranbourn Chace* and *Wood*, as contain Eight hundred and six Acres, be the same more or less, and extending to the Northern Extremity of the Parish of *Sunninghill* on the West, near an Inclosure called *Gosdens*, and also extending to the Stream which divides the said Parishes of *Winkfield* and *Sunninghill*; and in the Parish of *Old Windsor*, Two Pieces or Parcels of Land lying near *Winkfield Plain*, and being Part of *Cranbourn Wood* or *Chace*, containing together Eighty Acres One Rood and Sixteen Perches, one of which Pieces being Part of *Winkfield Plain*, contains by Admeasurement Thirty Acres and Six Perches, and the other Piece being Part of *Cranbourn Wood*, contains by Admeasurement Fifty Acres One Rood and Ten Perches; and in the said Parish of *Sunninghill*, all that Piece or Parcel of Open Common or Waste Ground appropriated for, and used a long time past as a Race Ground, being Part of the Heath called *Ascot Heath*, with proper Avenues thereto, and an Area or Space of Ground on the Boundaries and round the Race Courses there, as the same are now set out with Stakes, and containing by Admeasurement Two hundred and six Acres Three Roods and Three Perches, and all Erections and Buildings, Posts, Rails and Fences of every Description thereon, which Piece of Ground shall be kept and continued as a Race Course for the public Use at all times, as it has usually been; and in the said Parish of *New Windsor*, all those several Pieces or Parcels of Open Wood or Waste Land, containing in the whole Two hundred and seventy eight Acres Three Roods and Thirty Perches; that is to say, a Piece of Common or Waste Land called *Hog Common*, containing by Admeasurement Nineteen Acres and Three Roods; and one other Piece of Common or Waste Land, being Part of *Winkfield Plain*, containing by Admeasurement Eighty eight Acres and Two Roods; one other Piece of Waste Land lying near *Winkfield Plain* aforesaid, partly covered with Wood, containing by Admeasurement One hundred and two Acres One Rood and Thirty four Perches; and one other Piece of Waste Land thereto adjoining, partly covered with Wood, lying South of *Cranbourn Lodge*, containing by Admeasurement Sixty one Acres Two Roods and Twenty Perches; and one other Piece of Waste Land called *Glaziers Common*, containing Four Acres and Ten Perches; and the Lane passing East and West through *Shaw Farm*, containing Two Acres Two Roods and Eight Perches; and all the Timber and other Trees, Coverts and Bushes, standing, growing or being thereon, or on any Part or Parts thereof.

III. And be it further enacted, That the said Commissioners shall and they are hereby authorized and required to set out, allot and award unto His Majesty, his Heirs and Successors, such Part or Parts of the Waste Grounds, within such of the said Parishes and Liberties in which His Majesty is interested as Lord of a Manor or Manors,

Allotments to  
His Majesty as  
Lord of certain  
Manors.

in Right of His Crown or in His individual Capacity, as in the Judgment of the said Commissioners shall be equal in Value to Two Thirty second Parts of the Waste Grounds within such Manor or Manors respectively, as a full Compensation and Satisfaction for the Manorial Rights and Interests of His Majesty, his Heirs and Successors, in and to the Soil of the Waste Lands in the said several Manors respectively; and also so much of the said Waste Grounds as may be a full and fair Allotment in respect of the Proprietary Rights, to which His Majesty in Right of His Crown, or otherwise, is or may be entitled in any of the said Parishes and Liberties respectively.

Remainder of Waste Lands in Forest for Benefit of Lords of Manors and Persons having Common Rights &c.

IV. And be it further enacted, That all the Remainder of the Waste Lands within the said Forest of *Windfor*, not so allotted to His Majesty, his Heirs and Successors as aforesaid, shall remain for the Benefit of the several other Lords of Manors, Owners of Soil, and other Persons having Rights of Common within the said Forest, and unto and for the Use and Benefit of the Poor of the respective Parishes and Liberties within the said Forest, to be divided, allotted and inclosed, in the manner hereinafter mentioned, according to their several and respective Rights and Interests therein, freed and discharged of and from all Rights, Customs and Laws of the said Forest, of and belonging to the King's Majesty, his Heirs and Successors; Saving nevertheless to His Majesty, his Heirs and Successors, and all and every Person and Persons who shall be entitled to the same, all Timber and other Trees standing and being in or upon such Remainder of the Waste Lands within the said Forest, with full Power to enter on the said Lands, and cut down and carry away the same, or otherwise to dispose thereof, in the manner hereinafter mentioned.

General Saving.

V. And be it further enacted, That all such Allotments so to be made to His Majesty, his Heirs and Successors as aforesaid, shall be freed and discharged of and from all Right of Common of what Nature or Kind soever, and be held and enjoyed by His Majesty, his Heirs and Successors, in Severalty; and shall be deemed and taken to be a full Compensation and Satisfaction for all Forestal Rights, Claims and Demands whatsoever of His Majesty, his Heirs and Successors, in, over and upon any of the Open or Inclosed Grounds, within the said Forest.

Allotment to His Majesty freed and discharged from Common Rights, &c.

VI. And whereas Disputes or Doubts may arise concerning the Boundaries of Parishes, Manors, Hamlets, Liberties, and Districts or Places, to be divided, allotted and inclosed by virtue of this Act, and of Parishes, Manors, Hamlets, Liberties, Districts or Places adjoining thereto; Be it therefore enacted, That the Commissioner hereby appointed on Behalf of His Majesty, and the Commissioner hereby appointed on Behalf of all the Proprietors, and their respective Successors, shall and they are hereby authorized, whenever any such Doubts shall arise or exist, by Perambulation, Examination of Witnesses upon Oath or Affirmation (which Oath or Affirmation any One of such Commissioners is hereby empowered to administer), or by such other legal ways and means as he or they shall think proper, to enquire into the Boundaries of such several Parishes, Manors, Liberties, Hamlets, Districts or Places; and in case it shall appear to such Commissioners, that the Boundaries of the same respectively are not then sufficiently ascertained and distinguished, such Commissioners shall and they are hereby authorized and required to ascertain, set

Boundaries to be ascertained, &c. by Commissioners.

out,

out, determine and fix the same respectively; and after the said Boundaries shall be so ascertained, set out, determined and fixed, the same shall and are hereby declared to be the Boundaries of such Parishes, Manors, Hamlets, Liberties, Districts or Places: Provided always, that such Commissioners (before they proceed to ascertain and set out the Boundaries of such Parishes, Manors, Hamlets, Liberties, Districts or Places) shall and they are hereby required to give Ten Days' public Notice, by inserting the same in One of the County Papers, and affixing a like Notice on the Church Doors of the several Parishes interested, of their Intention to perambulate, and of the Time and Place from whence they shall begin so to do; and also by Writing, to be delivered to or left at the last or usual Places of Abode of the respective Lords or Stewards of the Lords of the Manors in which the Lands and Grounds to be inclosed shall be situate, and of such adjoining Manor or Manors, Ten Days at least before the time of Perambulating and setting out such Boundaries, of his or their Intention to perambulate, ascertain, set out, determine and fix the same respectively; and such Commissioners shall within One Month after their ascertaining and setting out the same, cause a Description thereof in Writing to be delivered to, or left at the Places of Abode of One of the Churchwardens or Overseers of the Poor of the respective Parishes, and also of such respective Lords or Stewards.

VII. And be it further enacted, That if any Person or Persons, Body or Bodies Politic, Corporate or Collegiate, shall consider himself, herself or themselves prejudiced or aggrieved by the Determination of the said Commissioners, respecting the Limits or Boundaries of any Parish, Manor, Township, Hamlet, District or Place upon the said Open Commonable Parts of the said Forest, or of any Parish, Manor, Township, Hamlet, District or Place adjoining thereto, as the same shall be set out and ascertained by the said Commissioners, and shall, by Writing under their, his or her Hands or Hand, give Notice to the said Commissioners within One Calendar Month next after such Determination, of his, her or their Desire to have the same determined by an Issue at Law, then, and in such case it shall be lawful for the Person or Persons, Body or Bodies Politic, Corporate or Collegiate, so dissatisfied with such Determination, to have the same ascertained by Trial of an Issue at Law, in like manner as any disputed Right or Claim is hereby authorized or directed to be tried.

VIII. And be it further enacted, That upon and immediately after such Division and Allotments to His Majesty under this Act shall have been made, it shall be lawful for His Majesty, his Heirs and Successors, immediately to inclose and continue inclosed the whole of the said several Allotments of the said Waste Lands so to be vested in His Majesty, his Heirs and Successors, discharged and exonerated of and from all Common Rights as hereinbefore mentioned, at such time or times, and in such Manner and Form as the said Commissioners, in and by their Award to be made as hereinafter mentioned, shall order, direct and appoint.

IX. And be it further enacted, That it shall and may be lawful for the Commissioners of His Majesty's Woods, Forests and Land Revenues for the time being, by and with the Consent and Approbation of the Lords Commissioners of His Majesty's Treasury for the time being, as well before as after the making the Award of the

Proviso.

Boundaries ascertained by an Issue at Law.

Upon Allotments being made, same immediately inclosed.

Allotments purchased for Use of His Majesty, with Content of Treasury.

the said Commissioners, to contract and agree with, and to purchase for the Use of His Majesty, his Heirs and Successors, from any Person or Persons who shall be entitled to any Allotment of Land under this Act, and be willing to sell the same at a Price or Prices to be agreed on, all or any Part of their respective Allotments to be made to them under this Act.

Power of Entry  
to cut Timber.

X. And be it further enacted, That it shall be lawful to and for His Majesty, his Heirs and Successors, and all and every other Person and Persons entitled to any Timber or other Trees standing and being on any of the Waste Lands hereby intended to be inclosed within the Space of Two Years from the passing of this Act, with Workmen, Labourers, Servants and Agents, Horses, Carts and Carriages, to have and take free Ingress and Egress into and upon the several Waste Lands so to become the Property of the several Proprietors of Lands and Tenements, having Rights of Common within the said several Parishes as aforesaid, to sell, cut down, grub up, remove, fell and dispose of all or any of the said Timber Trees and other Trees.

XI. And whereas divers Pieces or Parcels of Open and Waste Land within the said Forest have been at divers times inclosed by His Majesty to and for His own Use, and Compensation has been made by His Majesty to the Persons entitled to Right of Common thereon for such their Right of Common; and His Majesty has made some small Purchases and Exchanges of Open Waste and Wood Land from the Persons in Possession thereof, and also of Old inclosed Lands, and which have been laid into and now form Part of the Park called *Windsor Great Park*, or other Demesne Lands of His Majesty, his Heirs and Successors; and His Majesty has also from time to time given Leave and Licence, by His own Sign Manual, or other Instrument under His Hand, or by Leave of the Lord Chief Justice in Eyre, or the Lord Warden of the said Forest for the time being, to divers Persons to inclose several Pieces or Parcels of Land, Parts of the Open Waste Land within the said Forest; and such Persons have also made Compensation to the Persons having Right of Common thereon for such their Right of Common and divers other Persons have from time to time made some Inclosures of small Pieces of Land, Parts of the Open Waste Land within the said Forest; but such Persons have made some Compensation to the Persons entitled to Right of Common thereon for such their Right of Common; and which last mentioned Pieces or Parcels of Land are individually and separately of small and inconsiderable Value; and in apportioning the several Parts of the said Forest so to be allotted to His Majesty as aforesaid, and of the several Parts thereof so to be appropriated to the Proprietors of Land having Rights of Common within the said Forest, it is deemed reasonable, that His Majesty, his Heirs and Successors, and the several other Persons and their Heirs, now in Possession of the said several Pieces or Parcels of Land so acquired, and for which some such Compensation was made as aforesaid, should be quieted in the Possession thereof; Be it therefore further enacted, That all and every such Pieces and Parcels of Land so inclosed by His Majesty, or purchased or exchanged by Him as aforesaid, and all and every Pieces and Parcels of Land so inclosed as aforesaid, by or under any Authority of His Majesty, or the Lord Chief Justice in Eyre, or Lord Warden

Certain Pieces  
of Land now inclosed  
vested in His Majesty.  
Encroachments  
prior to 1st Sept.

Warden of the said Forest, or other Person authorized or supposed or presumed to be authorized as aforesaid, previous to the First Day of *September* One thousand eight hundred and twelve, shall, from and after the passing of this Act, be for ever thereafter held and enjoyed by His Majesty, his Heirs and Successors, and the several Person or Persons now in Possession, or in the Receipt of the Rents and Profits as Owners thereof respectively, and their respective Heirs and Assigns, freed and absolutely discharged of and from all Rights of Common, or other Rights whatsoever, of any Person or Persons whomsoever, in, over and upon the same, and of and from all Claims of Forest, or other Rights or Claims whatsoever, of His Majesty, his Heirs and Successors, or any other Person or Persons whomsoever: Provided always, that where any such Inclosure or Inclosures, Encroachment or Encroachments shall, within Ten Years previous to the passing of this Act, have been made without such Authority as aforesaid, the respective Commissioners hereinafter appointed for the respective Parishes and Liberties hereinafter mentioned, are hereby empowered and required to allot and award the same Inclosure or Inclosures, Encroachment or Encroachments, to such Person or Persons whose Allotment or Allotments may surround or adjoin the same, as Part of his, her or their Allotment or Allotments; and the said Commissioners respectively are hereby authorized and empowered, if they shall respectively think fit, to order a moderate and reasonable Compensation out of the Monies to be raised by the said Commissioners hereinafter appointed for the respective Parishes and Liberties by virtue of this Act, to be paid to the Person or Persons in Possession of any such Encroachment or Inclosure, as a Compensation for the Costs and Expences which he or they may have laid out and expended in fencing, planting or otherwise, in the Improvement thereof; and from and immediately after the executing the Award of the said last mentioned respective Commissioners, such Encroachment or Encroachments shall thenceforth be vested in such Person or Persons respectively to whom the same shall have been so allotted and awarded by the said Commissioners respectively.

1812, confirmed, &c.

Commissioners in certain cases may award Encroachments to adjoining Proprietors, and order reasonable Compensation to Persons in Possession.

XII. Provided always, and be it further enacted, That nothing herein contained, shall be construed to vest, or intended to vest in His Majesty, his Heirs and Successors, any Lands purchased by His Majesty or any other Person or Persons in Trust for Him, with His own proper Monies, or acquired by Exchange for other Lands of His Majesty, purchased with His own proper Money, and which have not yet been added to or made Part of *Windsor Great Park*, or other the Demefne Lands of The Crown; but that all such Lands, Tenements and Hereditaments so purchased or acquired by His Majesty, or any other Person or Persons in Trust for Him as aforesaid, shall remain, continue and be His Majesty's Private Property to all Intents and Purposes whatsoever, and shall not descend or be descendible to His Majesty's Successors in Right of The Crown, unless by some proper Deed or Instrument duly executed by His Majesty for that Purpose.

Lands purchased by His Majesty out of his own Monies, to continue his Private Property.

XIII. Provided always, and be it further enacted, That nothing herein contained shall be deemed, construed, or taken to bar, defeat or prejudice His Majesty, his Heirs and Successors, from pursuing and prosecuting any Suit instituted and now depending on Behalf of His Majesty, touching any Rights, Claims or Demands of His Majesty,

His Majesty not barred from prosecuting certain Suits touching His Claims, &c.

his

his Heirs and Successors, to any Manors, Lands, Tenements, Hereditaments, Royalties, Franchises, Rights, Liberties or Privileges whatsoever within the said Forest.

Date of Encroachments determined by Commissioners.

XIV. And be it further enacted and declared, That if any Dispute shall arise as to the Space of time during which any such Inclosures or Encroachments shall have been made or subsisted, the same shall be examined into and determined by the said last mentioned Commissioners.

Public Carriage Roads set out, and certain Lanes stopped up.

XV. And be it further enacted, That the Commissioner hereinafter appointed on the Behalf of His Majesty for the Purposes of this Act, and the Commissioner to be appointed for and on the Behalf of the several Proprietors of Land in the said several Parishes respectively, as hereinafter mentioned, shall in their respective Parishes appoint, ascertain and set out all such Public Carriage Roads and Highways, over the Lands and Grounds so to be allotted and set out to His Majesty; and that all such Public Roads and Highways which shall be so ordered by the said Commissioners as aforesaid, with all necessary Drains, Watercourses, Arches, Bridges and Fences thereto, shall be made, and for ever hereafter repaired and maintained at the proper Costs and Charges of His Majesty, his Heirs and Successors: Provided always, that the several Lanes called *Kimber's Lane*, *Slough Bridge Lane*, and *Gad's Lane*, and all Ways and Passages by and through the said Lanes or any of them, into the said Allotments so to be made to His Majesty in the said Parish of *Bray*, shall be stopped up and no longer used as Ways or Passages into the same; and that no other Carriage Road, Bridle Road, Drift Road or Public Highways, for any Purpose whatever, shall be made, used or set out, across, over or upon the said last mentioned Allotment or any Part or Parts thereof, except an ancient Carriage Road or Highway now used as such, from the Parish of *Winkfield*, leading into a Lane called *Fisfield Lane*, and from thence to the Town of *Maidenhead*; and also another Carriage Road or Highway from the South End of the said Lane called *Fisfield Lane*, to the Parish of *White Waltham*, which Two several Roads or Highways are to be continued and used for all public Purposes whatever.

Commissioners of Woods, &c. empowered to purchase Cottages, &c. on Waste Lands allotted to His Majesty.

XVI. And be it further enacted, That, for removing all Cottages within the several Allotments so to be made to His Majesty, his Heirs or Successors as aforesaid, it shall and may be lawful for the said Commissioners of his Majesty's Woods, Forests and Land Revenues, or the said Surveyor General of Woods and Forests for the time being, by and with the Consent of the Lords Commissioners of His Majesty's Treasury for the time being, or any Three or more of them, to purchase any Cottages, with the Gardens and Lands thereto belonging, which are standing and being on the Waste Lands hereby vested in His Majesty as aforesaid, and that a satisfactory Exchange or a reasonable Compensation in Money shall be made by His Majesty, his Heirs or Successors, for the same, to the several Proprietors thereof and the Persons respectively interested therein; the Amount of such Compensation to be ascertained and settled by the Commissioner hereinafter named on the Part of His Majesty, and some Person or Persons to be appointed on the Behalf of such Proprietors and Persons interested in such Cottages and Gardens and Land thereto respectively belonging as aforesaid; and in case the said

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Commissioner, and such other Person or Persons so to be named on Behalf of the said Proprietors and Persons interested, shall not agree as to the Quantum or Compensation to be paid by His Majesty, his Heirs and Successors, for such Cottages, Gardens, and Land as aforesaid, or the said Person or Persons so interested in such Cottages, Gardens or Land shall, for the Space of Twenty one Days after Notice to him, her or them given or left in Writing at the Dwelling House or Houses, or Place or Places of Abode of such Person or Persons, neglect or refuse to nominate any proper Person or Persons, to ascertain and settle such Compensation in manner aforesaid, or to treat, or shall not agree in the Premises, or by reason of Absence shall be prevented from treating for any such Sale or Sales, or accept such Compensation as aforesaid, then and in every or any such case, the said Commissioner hereinafter named on the Part of His Majesty, shall cause it to be enquired into and ascertained by and upon the Oaths of a Jury of Twelve indifferent Men of the said County of *Berks*, what Compensation and Satisfaction shall be made to such Owner or Proprietors or Persons interested, for the Purchase of the said Cottages, Gardens and Land; and Fourteen Days Notice of the Time and Place of the Meeting of such Jury shall be given in manner aforesaid; and the Sheriff of the said County of *Berks*, or his Deputy, is and are hereby empowered and required from time to time to summon or cause to be summoned before the said Jury, and examine upon Oath, all and every Person and Persons whomsoever, who shall be thought proper and necessary to be examined concerning the Premises (which Oath the said Sheriff or his Deputy is or are hereby empowered to administer); and he the said Sheriff is hereby further empowered to order and direct the said Jury, if necessary, to view the Places in question, with or without Shewers, at the Will of the Parties; and after the Jury shall have so enquired of, ascertained and settled such Compensation and Recompence, the said Commissioner shall order and direct the Sum or Sums of Money which shall be so assessed by the said Jury, to be paid to the said Owners or Proprietors, or the Person or Persons interested in the said Cottages, Gardens and Land, according to such Verdict or Inquisition and Judgment of the said Jury; which Verdict or Inquisition and Judgment or Determination so had and made, shall be final, binding and conclusive to all Intents and Purposes, against all Parties and Persons whomsoever, claiming or to claim, in Possession, Reversion, Remainder, Expectancy or otherwise, their Heirs and Successors, as well absent as present, Infants, Females Covert and Persons under any Disability whatsoever, Bodies Politic or Corporate, Ecclesiastical or Civil, Aggregate or Sole, as well as all other Persons whomsoever, and against all and every such Owners and Proprietors; and every Person and Persons any ways interested in such Cottages, Gardens and Land, shall thereby be from thenceforth to all Intents and Purposes, excluded and divested of all Right, Title, Claim, Interest and Property, of, in, to or out of the same.

When Owners of Cottages, &c. refuse to treat Compensation and Satisfaction settled by Jury.

Witnesses examined on Oath.

Verdict of Jury final.

XVII. And be it further enacted, That, for the summoning and returning such Jury or Juries, it shall be lawful for the Commissioners appointed for the Purposes of this Act, and they are hereby empowered to issue out their Warrant or Warrants to the said Sheriff of the County of *Berks*, thereby commanding him to impanel, summon and return, an indifferent Jury of Twenty four Persons, to appear at such

By Warrant of Commissioners for Purposes of Act, Sheriff to impanel a Jury.

such Time and Place as in such Warrant or Warrants shall be appointed; and the said Sheriff or his Deputy is and are hereby required to impanel, summon and return, Twenty four such Persons as aforesaid; and out of the Persons so impanelled and returned, or out of such of them as shall appear upon such Summons, the said Sheriff or his Deputy, shall swear or cause to be sworn Twelve, who shall be the Jury for the Purpose aforesaid; and in Default of a sufficient Number of Jurymen, the said Sheriff or his Deputy shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service, to the Number of Twelve; and all Persons interested shall have their lawful Challenges against any of the said Jurymen, as in ordinary cases of the like nature.

Challenge.

Sheriff and  
Witnesses, &c.  
making Default.

XVIII. And be it further enacted, That if the Sheriff or his Deputy who shall be so directed to summon and return a Jury as aforesaid, shall make Default in the Premises, or if any Person so summoned and returned as aforesaid upon such Jury, shall not appear, or, appearing, shall refuse to be sworn, or to give his Verdict, or shall in any other manner wilfully neglect his Duty contrary to the true Intent and Meaning of this Act; or if any Person so summoned to give Evidence shall not appear, or, appearing, shall refuse to be examined or give Evidence, it shall be lawful for Two or more Justices of the Peace acting for the County wherein such Cottages, Gardens and Land shall lie, and they are hereby required, upon Complaint being made to them in Writing, to summon any Person so offending before them, and upon the Oaths of Witnesses (which Oaths the said Justices are hereby empowered and required to administer) to hear and determine, at any Petty Sessions to be held within and for such County, the Matter of Complaint; and every Person who shall be found so offending in any of the cases aforesaid, by the legal Adjudication and Determination of the said Justices, shall, for every such Offence, forfeit and pay any Sum not exceeding Ten Pounds, which said Penalty shall and may be levied by virtue of any Warrant under the Hand and Seal of any one of the said Justices, by Distress and Sale of the Goods and Chattels of the Person or Persons so offending, rendering to him or her the Overplus, after such Penalty and the Charges of such Distress and Sale shall be deducted; and every such Penalty so recovered from the said Sheriff, or from any Person who shall have been so summoned on such Jury, or to give Evidence as aforesaid, shall go and be paid to the Party who shall appear to the said Justices to be injured by the Default of such Person.

Penalty.

How Expenses  
of Jury paid.

XIX. And be it further enacted, That in case any Jury shall give in and deliver a Verdict for more Money as a Compensation for the Right, Interest or Property of any Person or Persons in any Cottages, Gardens or Land as aforesaid, than what shall have been agreed to and offered by the said Commissioner on the Part of His Majesty, before the summoning and returning of the Jury, as a Compensation or Satisfaction for any such Right, Interest or Property as aforesaid, that then and in such case the full Costs and Expenses of summoning and maintaining the Jury and Witnesses, and all other Expenses attending the hearing and determining of such Difference, shall be borne and paid by His Majesty, his Heirs and Successors; but if such Jury shall give and deliver a Verdict for no more, or for less Money than shall have been agreed to and been offered by the said Commissioner on

on the Part of His Majesty, before the summoning and returning of the said Jury, as a Compensation and Satisfaction for any such Right, Interest or Property as aforesaid, that then the full Costs and Expences of summoning and maintaining the said Jury and Witnesses, and all other Expences attending the hearing and determining such Difference, shall be paid and borne by the Person or Persons with whom he said Commissioner on the Part of His Majesty shall have such Controversy or Dispute; which said Costs and Expences having been ascertained and settled by the Master of His Majesty's Court of King's Bench (who is hereby authorized and required to examine and settle the same), shall and may be deducted out of the Money so adjudged, as so much Money advanced to and for the Use of such Person or Persons; and the Payment or Tender of the Remainder of such Monies shall be deemed and taken to all Intents and Purposes to be a Payment and Tender of the whole Sum or Sums so adjudged; or otherwise such Costs and Expences, in case the same be not paid on Demand, may be recovered by the Commissioners of Woods, Forests and Land Revenue, or the Surveyor General of Woods and Forests for the time being, by Action or Suit in any of His Majesty's Courts at *Westminster*: Provided always, that in cases where any Person or Persons shall, by reason of Absence, have been prevented from treating in a manner aforesaid, the whole Costs and Expences shall be borne and paid by His Majesty in manner aforesaid.

*Proviso.*

XX. And be it further enacted, That all and every Sum and Sums of Money by way of Compensation or Recompence to be agreed for or ascertained as aforesaid, shall, by and with the Consent, Order and Direction of the Lords Commissioners of His Majesty's Treasury for the time being, or any Three or more of them, be paid by the Commissioners of His Majesty's Woods, Forests and Land Revenue, or the Surveyor General of Woods and Forests for the time being; and that upon Payment thereof as aforesaid, or in case of Refusal to accept the same, then on depositing such Sum or Sums of Money in the Bank of *England* in manner by this Act directed, it shall be lawful for the said Commissioners or Surveyor General for the time being, their Surveyors, Workmen or Agents, to enter into and upon and take Possession of the said Cottages, Gardens and Land respectively, and to do all and every such Act, Matter and Thing in relation to such Cottages, Gardens and Land, as the said Commissioners or Surveyor General for the time being shall think proper; and the said Cottages, Gardens and Land shall thenceforth be deemed and taken to be Part of the Lands belonging to His Majesty, and shall be vested in His Majesty, his Heirs and Successors, for the Purposes of this Act.

Money allowed for Cottages, how paid or deposited.

XXI. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Cottages, Gardens and Lands purchased by virtue of this Act for the Purposes thereof, which shall belong to any Body Politic or Corporate, Trustees or Feoffees, Feme Covert, Infant, Lunatic, or Person or Persons beyond the Seas, or under any other Disability or Incapacity, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privy of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Commissioners for executing this Act, to the Intent that such Money shall be applied, under the

Application of Compensation to Bodies Politic, &c. where exceeding 200l.

Direction and with Approbation of the said Court, to be signified by an Order made upon a Petition, to be preferred in a summary way by the Person or Persons who would have been entitled to the Rents and Profits of the said Cottages, Gardens and Land, in the Purchase of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Cottages, Gardens and Land, or affecting the Lands, Tenements or Hereditaments standing settled therewith, to the same or the like Uses, Intents or Purposes; or where such Money shall not be so applied, then the same shall be laid out or invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements or Hereditaments, which shall be conveyed and settled to, for and upon such and the like Uses, Trusts, Intents and Purposes, and in the same manner as the Cottages, Gardens and Land, which shall be so purchased as aforesaid, stood settled or limited, or such of them as at the time of making such Conveyance and Settlement shall be existing, undetermined and capable of taking Effect; and in the mean time and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery, upon Application thereto, be invested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, and in the mean time and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from time to time be paid by Order of the said Court to the Person or Persons who would for the time being have been entitled to the Rents and Profits of the Cottages, Gardens and Land so to be purchased, in case such Purchase or Settlement were made.

Application where Compen- sation does not exceed 20*l.* nor less than 20*l.*

XXII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Cottages, Gardens and Land, purchased for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to the Sum of Twenty Pounds, then and in all such cases the same shall, at the Option of the Person or Persons for the time being entitled to the Rents and Profits of the Cottages, Gardens and Land so purchased, or of his, her or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privy of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in manner hereinbefore directed; or otherwise the same shall be paid at the like Option to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Commissioners (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties) in order that such Principal Money, and the Dividends arising thereon, may be applied in the manner hereinbefore directed, so far as the case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

Application where Money is less than 20*l.*

XXIII. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next before mentioned, shall

shall be less than Twenty Pounds, then and in all such cases the same shall be applied to the Use of the Person or Persons who would for the time being have been entitled to the Rents and Profits of the Cottages, Gardens and Land so purchased for the Purpose of this Act, in such manner as the said Trustees shall think fit; or in case of Infancy or Lunacy, then to his, her or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

XXIV. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Cottages, Gardens and Land to be purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make out a good Title to the Premises, to the Satisfaction of the said Commissioners; or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid, cannot be found; or if the Person or Persons entitled to such Cottages, Gardens and Land be not known or discovered, then and in every such case it shall and may be lawful to and for the said Commissioners to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account, to the Credit of the Persons interested in the said Cottages, Gardens and Land [*describing them*], subject to the Order, Controul and Disposition of the said Court of Chancery; which said Court of Chancery, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the same Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

XXV. Provided also, and be it enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery in pursuance of this Act, for the Purchase of any Cottages, Gardens and Land, or of any Estate, Right or Interest in any Lands, Tenements or Hereditaments to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interests of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Cottages, Gardens or Lands at the time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Cottages, Gardens or Lands, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court

In case of not making out Title, or if Persons cannot be found, Purchase Money paid into Bank,

subject to Order of Court of Chancery.

Where any Question shall arise touching Money to be paid into Bank, the Person in Possession at time of Purchase deemed entitled thereto.

of Chancery; and the Dividends or Interests of the said Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied and disposed of accordingly; unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Cottages, Gardens or Lands, or to some Estate or Interest therein.

Court of Chancery may order Expences of certain Purchases to be paid by Commissioners.

XXVI. Provided also, and be it enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Cottages, Gardens or Land, to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Chancery, and to be applied in the Purchase of other Lands, Tenements or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall and may be lawful to and for the said Court of Chancery to order the Expences of all Purchases from time to time to be made in pursuance of this Act; and so much of such Expences as the said Court shall deem reasonable, to be paid by the said Commissioners out of the Monies to be received by virtue of this Act, who shall from time to time pay such Sums of Money for such Purposes as the said Court shall direct.

XXVII. And whereas the said *Arthur Marquis of Downshire* insists that the said Manor, and also the Park of *Easthampstead*, to which he derives his Title through and under certain Grants made by His Majesty's Royal Predecessors and other Assurances, are exempt from all the Laws of the said Forest and all the Rights of The Crown in respect thereof, and consequently that His said Majesty is not entitled to any Allotment of Land within the said Manor or Parish (which are co-extensive); Be it therefore enacted, That it shall be lawful for His Majesty, by his Attorney General, to proceed to a Trial at Law at the next Spring Assizes for the County of *Berks*, in a feigned Action or Actions for that Purpose to be commenced in His Majesty's Court of King's Bench, Common Pleas or Exchequer at *Westminster*, against the said *Arthur Marquis of Downshire*, his Heirs or Assigns, or the Person or Persons entitled to the said Manor for the time being; and the Defendant or Defendants in such Action or Actions shall forthwith name an Attorney or Attornies, who shall file Common Bail, or appear and accept One or more Issue or Issues, whereby the Matter in question may be properly tried and determined (such Issue or Issues to be settled by the proper Officer or Officers of the Court in which such Action or Actions shall be brought, if the Parties shall differ about the same); and if at the Trial of any such Issue or Issues it shall appear that His Majesty is not entitled to any Forestal Right or Interest within the said Manor and Parish of *Easthampstead*, for which a Compensation ought to be made, then such Jury or Juries by whom such Issue or Issues shall be tried, shall find for the Defendant or Defendants, in which case this Act, or any thing therein contained, shall not apply to or affect the same Manor and Parish or any Part thereof; but if it shall appear to such Jury or Juries that His said Majesty is entitled to such Forestal Rights or Interests within the same Manor and Parish, as are claimed by and belong to His Majesty, in and over the Parishes and Places within the regard of the said Forest, then such Jury or Juries shall find for the Plaintiff, and then

Marquis of Downshire's Claim to Manor and Park of Easthampstead, exempt from Forest Laws or Rights of Crown, tried at Assizes for Berkshire, &c

then and in such case the said Manor and Parish shall be deemed to be within the Provisions of this Act, and the Commons and Waste Lands thereof shall be subject to such Provisions and Regulations as to the Proportion thereof to be awarded to His Majesty, as are in this Act contained in relation to the said Parishes and Manors, and Wastes and Commons within the regard of the said Forest; but if it shall appear to the said Jury that His Majesty is entitled to Forestal Rights and Interests within the same Manor and Parish, but that such Rights have been diminished or restricted by Grants or Charters or other means, so as that such Forestal Rights of His Majesty are not so extensive in the said Manor and Parish as in the other Parishes and Manors mentioned in this Act, then and in such last mentioned case such Jury or Juries shall find and declare by their Verdict, that His Majesty has only limited Forestal Rights in the said Manor and Parish, which shall be indorsed on the Postea; and then the said Jury or Juries, in addition to the Verdict or Verdicts given in the Issue or Issues joined, shall assess and award what Proportion of the Soil of the Waste and Open Lands within the same Manor and Parish would be a just and fair Compensation for such His said Majesty's Forestal Rights therein, and the Verdict or Verdicts which shall be given in such Action or Actions, and such Special Finding or Indorsement, shall be binding as well upon His said Majesty, his Heirs and Successors, as the said Marquis, his Heirs and Assigns, and all other Persons interested in the said Manor; unless the Court wherein such Action or Actions shall be brought shall set aside such Verdict or Verdicts, Finding and Indorsement, and order a new Trial or Trials to be had thereupon (which it shall be lawful for the Court to do, as is usual in other cases); and after such Verdict or Verdicts, Special Finding and Indorsement shall be given, the same not being set aside by the Court, the said Commissioners shall and they are hereby authorized and required to act in Conformity thereto: Provided always, that it shall be lawful for His Majesty's Attorney General, and the Defendant or Defendants at any such Trial, in case such last mentioned Verdict shall be, that His Majesty's Forestal Rights are limited in the said Manor and Parish, to agree to refer the Proportion of Compensation to such Referees or Referee as shall at such Trial be approved of by the Judge trying such Issue or Issues; and the Amount of the Proportion so ascertained shall, when settled, be indorsed upon the Postea as Part of the Finding of the Jury, in like manner as if the same had been so ascertained and assessed by the Jury as aforesaid: Provided also, that it shall be lawful for the Court in which such Action or Actions shall be depending, upon sufficient Cause shewn, to put off the Trial of the same, although the time hereby limited for such Trial may be thereby exceeded; but if such Action or Actions shall not be proceeded in to a Trial or Trials at the next Spring Assizes for the County of *Berks*, by means of the Neglect or Default of the Defendant or Defendants therein, then and in such case the Allotment to be made by the said Commissioners in respect thereof, shall be deemed to belong to His Majesty, his Heirs and Successors, and shall be conclusive as well unto and upon His Majesty, his Heirs and Successors, as upon the said Marquis, his Heirs and Assigns, and all other Persons so interested as aforesaid.

**XXVIII.** Provided also, and be it enacted, That if either of the Parties in any Action or Actions to be brought and prosecuted in

Action not to abate by reason of Death of Parties.

Matters in Dispute compromised.

In case no Action brought, &c. Act not to affect Manor of Easthampstead.

His Majesty may enter Action against Lord of Manor of Sandhurst, &c. as to Claims of Exemption from Forest Laws and Rights of The Crow

pur-suance of this Act, shall die pending the same, such Action or Actions shall not abate by reason thereof, but shall be proceeded in as if no such Event had happened: Provided nevertheless, that it shall be lawful for His Majesty, at any time before the Trial of such Action or Actions, to make or accept Proposals to or from the said Arthur Marquis of Downshire, his Heirs or Assigns, or the Person or Persons so entitled to the said Manor for the time being as aforesaid, for, com-promising the Matter or Matters in Dispute, and to compromise the same accordingly; and every such Compromise, if made, shall be binding and conclusive, as well on His said Majesty, his Heirs and Successors, as on the said Arthur Marquis of Downshire, his Heirs and Assigns, and all other Persons so interested as aforesaid: Pro-vided also, that if no such Action shall be brought, or, being brought, if the same shall not be tried within the time herein for that Purpose limited, unless such Trial or Trials shall be put off with such Leave of the Court as aforesaid, then and in such case this Act or any thing herein contained, shall not apply to or in any way affect the said Manor, Parish or Park of Easthampstead, or any Part thereof respectively.

XXIX. And whereas the said Richard Heavyside and others, having Rights of Common in and over Sandhurst Common, wish that the said Manor, and Parish of Sandhurst, to which the said Richard Heavyside derives his Title, through and under a certain Grant or Grants made by some or one of His Majesty's Royal Pre-decessors, and other Assurances, are exempt from all the Laws of the said Forest, and all the Rights of The Crown in respect thereof, and consequently that His said Majesty is not entitled to any Al-lotment of Land within the said Manor or Parish; Be it therefore enacted, That it shall be lawful for His Majesty, by his Attorney General, to proceed to a Trial at Law at the next Spring Assizes for the County of Berks, in a feigned Action or Actions for that Pur-pose to be commenced in His Majesty's Court of King's Bench, Common Pleas or Exchequer at Westminster, against the said Richard Heavyside, as Lord of the said Manor of Sandhurst, his Heirs or As-signs, or the Person or Persons entitled to the said Manor for the time being; and the Defendant or Defendants in such Action or Actions shall forthwith name an Attorney or Attornies, who shall file Common Bail, or appear and accept One or more Issue, or Issues, whereby the Matters in question may be properly tried and determined (such Issue or Issues to be settled by the proper Officer or Officers of the Court in which such Action or Actions shall be brought, if the Parties shall differ about the same); and in case the said Richard Heavyside, his Heirs or Assigns, or such Person or Persons as aforesaid, shall refuse or neglect to become Defendant or Defendants in such Action or Actions, or refuse to appear, and plead in due Course of Law to any Declaration to be delivered by the Attorney General for the Trial of such Issue, or shall suffer Judgment to go by De-fault, then it shall and may be lawful for the said Attorney General to bring an Action against John Mosley Esquire (one of the Persons having Rights of Common in and over Sandhurst Common), or in the Event of his Death, against any other Person or Persons being inter-ested in the Commons or Wastes of the same Manor for the Trial of the said Issue; and if at the Trial of any such Issue or Issues, it shall appear that His Majesty is not entitled to any Forestal Right or In-terest



terest within the said Manor and Parish of *Sandhurst*, for which a Compensation ought to be made, then such Jury or Juries by whom such Issue or Issues shall be tried, shall find for the Defendant or Defendants, in which case this Act or any thing therein contained shall not apply to or affect the same Manor and Parish or any Part thereof; but if it shall appear to such Jury or Juries that His said Majesty is entitled to such Forestal Rights or Interest within the same Manor and Parish as are claimed by and belong to His Majesty in and over the other Parishes or Places within the regard of the said Forest, then such Jury or Juries shall find for the Plaintiff, and then and in such case the said Manor and Parish shall be deemed to be within the Provisions of this Act, and the Commons and Waste Lands thereof shall be subject to such Provisions and Regulations as to the Proportion thereof to be awarded to His Majesty, as are in this Act contained in relation to other Parishes and Manors and Wastes and Commons; but if it shall appear to the said Jury or Juries, that His Majesty is entitled to Forestal Rights and Interests within the same Manor and Parish, but that such Rights have been diminished by Grants, Charters or other means, so as that such Forestal Rights of His Majesty are not so extensive in the said Manor and Parish as in the other Parishes and Manors mentioned in this Act, then and in such last mentioned case such Jury or Juries shall find and declare by their Verdict, that His Majesty has only limited Forestal Rights in the said Manor and Parish, which shall be indorsed on the Postea; and then the said Jury or Juries, in addition to the Verdict or Verdicts given in the Issue or Issues joined, shall assess and award what Proportion of the Soil of the Waste and Open Lands within the same Manor and Parish would be a just and fair Compensation for such His said Majesty's Forestal Rights therein, and the Verdict or Verdicts which shall be given in such Action or Actions, and such Special Finding or Indorsement, shall be binding as well upon His said Majesty, his Heirs and Successors, as the said *Richard Heavyside*, his Heirs and Assigns, and all other Persons interested in the said Manor; unless the Court wherein such Action or Actions shall be brought shall set aside such Verdict or Verdicts, Finding and Indorsement, and order a new Trial or Trials to be had thereupon (which it shall be lawful for the Court to do as is usual in other cases); and after such Verdict or Verdicts, Special Finding and Indorsement shall be given, the same not being set aside by the Court, the said Commissioners shall and they are hereby authorized and required to act in Conformity thereto: Provided always, that it shall be lawful for His Majesty's Attorney General, and the Defendant or Defendants at any such Trial, in case such last mentioned Verdict shall be, that His Majesty's Forestal Rights are limited in the said Manor and Parish, to agree to refer the Proportion of Compensation to such Referee or Referee as shall at such Trial be approved of by the Judge trying such Issue or Issues; and the Amount of the Proportion so ascertained shall, when settled, be indorsed upon the Postea as Part of the Finding of the Jury, in like manner as if the same had been so ascertained and assessed by the Jury as aforesaid: Provided also, that it shall and may be lawful for the Court in which such Action or Actions shall be depending, upon sufficient Cause shewn, to put off the Trial of the same, although the time hereby limited for such Trial may be thereby exceeded; but if the said *Richard Heavyside*, his Heirs or Assigns, and the said *John Moseley*, or in case of the

Death of the said *John Moseley*, the other Persons interested in the Waste and Commons of the Manor of *Sandburſh* aforesaid, against whom such Action shall or may be brought as aforesaid, shall refuse to appear and plead in due Course to such Declaration to be delivered as aforesaid, then and in such case the Allotment of the said Commissioners shall be conclusive as well unto and upon His Majesty, his Heirs and Successors, as upon the said *Richard Heavſide*, his Heirs and Affigns, and all other Persons so interested as aforesaid.

Death of Parties  
not to abate  
Actions.

XXX. Provided also, and be it enacted, That if either of the Parties in any Action or Actions to be brought and prosecuted in pursuance of this Act shall die pending the same, such Action or Actions shall not abate by reason thereof, but shall and may be proceeded in as if no such Event had happened: Provided also, that if no such Action shall be brought, or, being brought, if the same shall not be tried within the time herein for that Purpose limited, unless such Trial or Trials shall be put off, with such Leave of the Court as aforesaid, then and in such case this Act or any thing herein contained, shall not apply to or in any way affect the said Manor or Parish of *Sandburſh*, or any Part thereof respectively.

Commissioners  
on Part of His  
Majesty, and  
Proprietors of  
Lands.

XXXI. And be it further enacted, That *John Nash* of *Dover Street*, in the County of *Middlesex*, Esquire, and his Successors, to be nominated and appointed in manner hereinafter mentioned, shall be and is and are respectively hereby appointed the Commissioner on the Part and Behalf of His Majesty; and that *John Davis* of *Blowham*, in the County of *Oxford*, Gentleman, and his Successors, to be elected in manner hereinafter mentioned, shall be and is and are respectively hereby appointed the Commissioner on the Part and Behalf of the several Proprietors of Land within the said Forest, for effectuating the several Purposes aforesaid.

Commissioners  
to take the  
following

XXXII. Provided always, and be it further enacted, That the said *John Nash* and *John Davis*, and their respective Successors, to be nominated and appointed in manner hereinafter mentioned, shall not, any or either of them, act in the Execution of the Powers hereby given, unless they shall have previously taken and subscribed the following Oath, which Oath any One of His Majesty's Justices of the Peace for the said County of *Berks* shall and may administer; that is to say,

Oath.

I do swear, That I will faithfully, honestly and impartially, according to the best of my Skill and Judgment, execute the Trusts reposed in me as Commissioner, by virtue of an Act passed in the Fifty third Year of the Reign of King *George* the Third, intituled *An Act* [here insert the Title of this Act]. So help me GOD.

Appointment of  
new Commis-  
sioners.

XXXIII. And be it further enacted, That in case the said *John Nash*, or any of his Successors, shall happen to die, or decline or neglect to act before the full Execution of all and every of the Powers hereby vested in him, or shall refuse to qualify and act in the Execution thereof, then and in such case and so often as the same shall happen, it shall and may be lawful for the Commissioners of His Majesty's Woods, Forests and Land Revenue, or the Surveyor General of Woods and Forests for the time being, to nominate and appoint any other fit Person to be a Commissioner on the Part of His Majesty,

in the Room of the said *John Nash*, or any of his Successors, so dying, or declining, neglecting or refusing to act as aforesaid; and if the said *John Davis* or any Commissioner to be appointed in his Stead as hereinafter mentioned, shall die, refuse or be disabled to act, then and in every such case, it shall be lawful for the major Part in Value (to be ascertained by the Land Tax Assessments) of the Proprietors of or Persons interested in the Lands within the said Forest, who shall be present at a Meeting to be held for that Purpose at some convenient Place within the said Forest, within Two Calendar Months next after such Death, Refusal or Disability shall be signified by the Commissioner for the time being, on the Part and Behalf of His Majesty, from time to time to elect and appoint a new Commissioner not interested in the said Inclosure, in the Stead of such Commissioner so dying, refusing or becoming disabled to act; of which last mentioned Death, Refusal or Disability, and Meeting, Ten Days' previous Notice shall be given by Advertisement in the Newspapers called *The Windsor Express* and *Reading Mercury*, if then printed, or in some other Newspapers usually published or circulated in the said County of *Berks*; and that every such Election and Appointment of a new Commissioner shall be reduced into Writing, and signed by the Persons making such Election and Appointment, and shall be delivered to the other Commissioner; and in case the said respective Parties, or any of them, shall make Default in appointing any such new Commissioner as aforesaid, at any such Meeting so to be held as aforesaid, then the Commissioner named and appointed on the Part and Behalf of His Majesty shall, and he is hereby required from time to time, by Writing under his Hand, within Fourteen Days after the Expiration of the time allowed for naming such new Commissioner as aforesaid, to appoint One other Commissioner not interested in the said Division and Allotments, in the Place of such Commissioner so dying, refusing to act, or becoming incapacitated; and every such new Commissioner so to be appointed, as well on the Part and Behalf of His Majesty, his Heirs and Successors, as on the Part and Behalf of the Proprietors of Land within the said Forest, shall have the like Powers and Authorities for putting this Act into Execution, in all respects whatsoever, as the Commissioner in whose Place he shall have been appointed was invested with.

XXXIV. And, for obviating the Delays and Inconveniences which may arise by any Difference of Opinion between the said Commissioners, touching any of the Matters and Things to be done in pursuance of this Act, be it further enacted, That it shall be lawful to and for the said Commissioners, and they are hereby authorized, in case of any such Difference of Opinion arising between them as aforesaid, from time to time to nominate and appoint any fit and competent Person to act as an Umpire concerning the Premises; to whom all and every such Difference shall be referred, and whose Judgment and Determination therein shall be deemed and taken to be the Judgment and Determination of the said Commissioners, and shall be final, binding and conclusive to all Intents and Purposes whatsoever.

Power to appoint an Umpire.

XXXV. Provided always, and be it further enacted, That no Person shall be capable of acting as an Umpire in the Execution of this Act, until he shall have taken and subscribed an Oath, in the Form or to the Effect following; that is to say,

Umpire to take the following

Oath.

I do swear, That I will faithfully, impartially and honestly, according to the best of my Skill and Judgment, execute and perform the several Trusts, Powers and Authorities vested and reposed in me as an Umpire, by virtue of an Act passed in the Fifty third Year of the Reign of King George the Third, intituled *An Act [here insert the Title of this Act,]* according to Equity and good Conscience, and without Favour or Affection, Prejudice or Partiality, to any Person or Persons whomsoever. So help me GOD.

Which Oath the said Commissioners, or either of them, are and is hereby authorized and required to administer to the said Umpire.

Surveyors appointed to survey and lay down Maps, &c.

XXXVI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, by Writing under their Hands and Seals, and they are hereby authorized and empowered to nominate and appoint any fit and proper Person or Persons, not interested in the said intended Division, to be a Surveyor or Surveyors for viewing, surveying and measuring the said Forest, and the Open Commonable Parts thereof; and such Surveyor or Surveyors is and are hereby authorized and directed, as soon as conveniently may be after he or they shall be so appointed, to view, survey and measure the said Forest, and the Open Commonable Parts thereof, or such Parts thereof as the said Commissioners shall order or direct, and shall describe and lay down the same by way of Map or Plan, whereon, or in a Book of Reference to be annexed thereto, shall be set forth the Number of Statute Acres, Roods and Perches of the said Forest, and the Open Commonable Parts thereof, or such Part or Parts thereof as shall be so ordered and directed to be surveyed, and the Names of the several Persons holding and enjoying the same; and that when and so soon as the said Surveyors shall have finished and completed the said Survey, Map or Plan, they shall, by Notice in Writing under their Hands, apprise the said Commissioners thereof, and appoint a Time and Place for a Meeting with them, of which Fourteen Days previous Notice at least shall be given unto each of the said Commissioners; at which Meeting the said Surveyor or Surveyors shall deliver unto the said Commissioners present at such Meeting, his or their Survey and Plan and Book of Reference, and shall subscribe the same with his or their Name or Names in the Presence of the said Commissioners, who shall attest the same; and the said Surveyor or Surveyors shall take and subscribe the following Oath; that is to say,

Surveyors to take the following

Oath.

I *A. B.* do swear, That by virtue and in pursuance of an Act made in the Fifty third year of the Reign of King George the Third, intituled *An Act [insert the Title of this Act,]* I have taken a true and exact Admeasurement and Survey of the said Forest, and the Open and Commonable Parts thereof, directed by the said Act to be inclosed, or of such Parts thereof as I have been directed to survey and admeasure, to the best of my Judgment and Ability; and that the Survey, Map or Plan, and Book of Reference, whereunto I have now set my Hand, are and do contain a just and true Description, Survey and Admeasurement, and Account thereof, with the Names of the several Persons holding and enjoying the same respectively; and that the same were made and taken by me according to the best of my Knowledge, Information and Belief, and the true Intent and Meaning of the said Act, without Favour or Partiality

Partiality to any Person or Persons; and I do further swear, that I will faithfully, impartially and honestly, according to the best of my Skill and Judgment, execute the several other Trusts reposed in me as a Surveyor, by virtue of the said Act, without Favour, Affection, Prejudice or Partiality, to any Person or Persons whomsoever.  
So help me GOD.

Which Oath it shall and may be lawful to and for any One of the said Commissioners to administer; and the said Oath, when so taken, shall be written on Parchment, and subscribed by the Person taking the same, and duly attested by the said Commissioners under their Hands, and shall be enrolled with the Award to be made by the said Commissioners.

Commissioners may administer Oath.

XXXVII. Provided always, and be it enacted, That in case any Surveyors so to be appointed as aforesaid, or any other Surveyor or Surveyors to be appointed as hereinafter mentioned, shall die, or refuse or neglect to act, or become incapable of acting in the Execution of the said recited Act and this Act, then and in every such case it shall and may be lawful for the said Commissioners, by Writing under their Hands and Seals, to nominate and appoint some other fit and proper Person (not interested in the said intended Division and Inclosure) to be a Surveyor in the Room or Stead of every Surveyor so dying, refusing or neglecting to act, or become incapable of acting in the Execution of the said recited Act and this Act; and every Surveyor so nominated and appointed shall have the like Powers and Authorities, and shall be subject and liable to the like Rules, Regulations and Restrictions, as if he had been originally named a Surveyor in and by this Act.

New Surveyors elected in case of Death.

XXXVIII. And be it further enacted, That if it shall appear to the Lords Commissioners of His Majesty's Treasury for the time being, upon the Report of the Commissioners of His Majesty's Woods, Forests and Land Revenues, or upon the Report of the Surveyor General of His Majesty's Woods and Forests for the time being, that any Part or Parcel, or Parts or Parcels of the Lands to be allotted and set out to His Majesty in pursuance of this Act, is or are so situated as not to be convenient for the Purpose of forming or making an Addition to *Windfor Great Park*, or to the said Allotments hereinbefore mentioned contiguous thereto, or are intermixed with, or are contiguous or convenient to or surrounded by the Lands of Individuals, it shall be lawful for the said Lords Commissioners of His Majesty's Treasury for the time being, or any Three or more of them, to authorize the said Commissioners of His Majesty's Woods, Forests and Land Revenues, or the Surveyor General of His Majesty's Woods and Forests for the time being to contract and agree on the Behalf of His said Majesty, his Heirs and Successors, either for the Sale or Exchange of such Lands or Allotments so situate as aforesaid, or to purchase the Lands so belonging to Individuals, and situated as aforesaid, and to make or accept good and effectual Conveyances thereof, for such Price or Prices, or such Equivalent or Equivalents, in the case of any such Exchange or Exchanges respectively as shall be certified to the said Commissioners of the Treasury, by the said Commissioners of His Majesty's Woods, Forests and Land Revenues, or by the said Surveyor General of Woods and Forests, to be just and reasonable, such Price or the Equivalent in Exchange to be ascertained and settled in manner hereinafter mentioned;

Lands allotted to His Majesty, if intermixed with Lands of other Persons, may be sold or exchanged.

tioned; and the same in case of Sale to be paid into the Hands of the said Commissioners of His Majesty's Woods, Forests and Land Revenue, or into the Hands of the said Surveyor General for the time being; and in case of Purchase, the Amount of the Purchase Money to be paid by the said last mentioned Commissioners, or by the said Surveyor General for the time being, to the Person or Persons to whom such Land shall belong, and to be by the said Commissioners or Surveyor General respectively accounted for as hereinafter mentioned; and such Lands, when so purchased, and all Lands to be given in Exchange to His Majesty, when so exchanged, shall be held respectively by, and be and become the Property of His Majesty, his Heirs and Successors; and all Lands given by His Majesty in Exchange as aforesaid, shall be held by the several Parties to whom the same shall be respectively given in Exchange, as the Property of such Parties respectively.

Old Inclosures,  
or new Allot-  
ments, sold, &c.

XXXIX. And be it further enacted, That the Powers of Sale and Exchange herein contained, shall extend as well to any Old Inclosures belonging to His Majesty within the said Forest, as to any Allotment or Allotments to be made to His Majesty in pursuance of this Act.

Sales or Ex-  
changes made  
conformable to  
52 G. 3. c. 161.

XL. And be it further enacted, That all such Sales or Exchanges to be made as aforesaid, shall be made in such Form and Manner, and under such Regulations in all respects, as are mentioned and prescribed in an Act, passed in the Fifty second Year of the Reign of His present Majesty, intituled *An Act for enabling His Majesty to grant Leases under certain circumstances; and for the better carrying into Effect the Provisions of an Act, passed in the Thirty ninth and Fortieth Years of the Reign of His present Majesty, touching the Formation of a Map of the New Forest in the County of Southampton, and continuing and extending other Provisions of the said Act; for further appropriating the Monies arisen or to arise from the Sale of certain Crown Lands under the Authority of divers Acts of Parliament; for annexing certain Lands within the Forest of Rockingham, to His Majesty's Manor of King's Cliff; and for enabling the Commissioners of the Treasury to appropriate small Portions of Land for Ecclesiastical Purposes*, relative to Sales and Exchanges between His Majesty and other Person or Persons authorized by the said Act, or as near thereto as the circumstances of any Sales or Exchanges to be made in pursuance of this Act will admit.

Purchase  
Money paid  
into Bank.

XLI. And be it further enacted, That all Sums of Money which shall accrue from the Sale of any Lands sold by virtue of this Act, shall be paid to the Commissioners of His Majesty's Woods, Forests and Land Revenues, or to the Surveyor General of His Majesty's Woods and Forests for the time being, to be by them or him paid into the Hands of the Governor and Company of the Bank of England, and applied and accounted for with the other Funds under their or his Management, in the manner directed by an Act of the Forty sixth Year of the Reign of His present Majesty, intituled *An Act for the better Regulation of the Office of Surveyor General of Woods and Forests*.

46 G. 3. c. 142.

Corporate  
Bodies, and  
others, may  
make Sales and  
Exchanges.

XLII. And be it further enacted, That it shall and may be lawful to and for any Body or Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, who shall be seized of or entitled to any Lands so to be sold to or exchanged for any Lands to be allotted to

to His Majesty as aforesaid, and to and for the Husbands, Committees, Trustees or Attornies of any Owner or Owners, Proprietor or Proprietors of any such Lands, being under Coverture, Minors, Lunatics, beyond the Seas, or under any other Disability, and to and for any of the Owners or Proprietors of such Lands being Tenants in Tail, or for Life or Lives, or Years determinable on a Life or Lives, or on any other Contingency, to make any such Sales or Exchanges as aforesaid; and all such Sales or Exchanges so to be made as aforesaid, shall be good, valid and effectual in the Law, to all Intents and Purposes whatsoever: Provided always, that no Sale or Exchange shall be made of any Lands, Tenements or Hereditaments, held in Right of any Church, Chapel or other Ecclesiastical Benefice, without the Consent of the Patron thereof, and the Bishop of the Diocese in which such Lands, Tenements or Hereditaments, so to be sold or exchanged shall be situate, testified by Writing under their Hands: Provided also, that all Costs, Charges and Expences attending the making any Sales, Exchanges or Partition, shall be paid and borne by the several Persons making such Sales, Exchanges or Partitions respectively, in such manner and in such Proportions as the said Commissioners shall by some Writing under their Hands order and direct.

XLIII. And be it further enacted, That it shall and may be lawful for the Commissioners named and appointed under the Authority of an Act, made and passed in the Fifty second Year of the Reign of His present Majesty, intituled *An Act for the Regulation of His Majesty's Household, and enabling Her Majesty the Queen to meet the increased Expence to which Her Majesty may be exposed during His Majesty's Indisposition; and for the Care of His Majesty's Real and Personal Property; and to amend an Act of the last Session of Parliament, to provide for the Administration of the Royal Authority during His Majesty's Illness*, with the Consent of the Queen's Most Excellent Majesty, and His Royal Highness the Prince Regent, signified by some Instrument in Writing under their Hands and Seals, to sell or exchange for Money, or for other Lands of equal Value, all or any of the Allotment or Allotments of the Waste Lands aforesaid to be made to His Majesty, in Right of any Lands or Estates in the said Forest, of which His Majesty, or any Person or Persons in Trust for Him, is or are seised of an Estate in Fee Simple, in his private Capacity, separate and distinct from any Estate or Property to which His Majesty is entitled in Right of his Crown; and that in case of any such Sale or Exchange, it shall be lawful for the said Commissioners for the Purposes of this Act (if such Sale or Exchange shall take place before the Execution of their Award), and they are hereby authorized and required to allot such Lands so sold or exchanged, to the Parties respectively purchasing or exchanging the same; who shall and may forthwith, after the Execution and Perfection of proper Deeds of Conveyance and Exchange, have, hold, use and enjoy such Allotment or Allotments so to be allotted as aforesaid, and shall and may use and exercise every Act of Ownership in, upon and over the same, in as full, large, ample and beneficial a manner to all Intents and Purposes whatsoever, as the former Proprietor or Proprietors, Vendor or Vendors thereof, could or might have done in case such Sale or Sales, or Exchange or Exchanges had not been made: Provided always, that all Costs, Charges and Expences attending any such

Commissioners of His Majesty's Real and Personal Property, enabled to sell or exchange Allotments of His Majesty in his private Right.  
52 G. 3. c. 8.

such Sale and Disposition or Exchange as aforesaid, shall be paid and borne by the several Persons making such Sale or Exchanges, in such manner as the said last mentioned Commissioners shall order and direct.

Appropriation of  
Purchase  
Money on Sale  
of His Majesty's  
Allotments in  
His private  
Right.

XLIV. And be it further enacted, That the Amount of the Purchase Monies for such of the Allotment or Allotments as shall be made to His Majesty in His private Right, in all cases of Sale thereof as aforesaid, shall be paid to the Commissioners named under the Authority of the said recited Act of the Fifty second Year of the Reign of His present Majesty as aforesaid; and that such Purchase Money shall from time to time be under the Management, Order, Direction and Controul of the said Commissioners, and shall in all respects be applicable and subject to the same Regulations and Restrictions as any other Personal Estate or Property of His Majesty is or are applicable or subject or liable to, as directed by the said recited Act.

Award made of  
Allotments to  
His Majesty;

XLV. And be it further enacted, That, for facilitating the Inclosure of the Allotment or Allotments of the said Waste Lands hereby intended to be vested in His Majesty, his Heirs and Successors as aforesaid, it shall be lawful for the said Commissioners hereinbefore named, and their respective Successors, as soon as conveniently may be after such Division and Allotments shall be finished and confirmed, pursuant to the Directions of this Act, to form and draw up, or cause to be formed and drawn up, a special, distinct and separate Award in Writing, expressing the Quantity of Acres, Roods and Perches, in Statute Measure, contained in the said Allotment or Allotments of the said Waste Lands to His Majesty, and the Quantity of each and every Part and Parcel thereof which shall be allotted, and the Situations and Descriptions of the same respectively, distinguishing the Allotments in respect of His Majesty's Manorial Rights, and of His Rights as a Proprietor from the Allotments in respect of the Forestal Rights; and also a like Description of such Land or other Property as shall be allotted in Exchange; and shall also contain proper Orders and Directions for fencing the said Allotments, and for keeping the Fences in Repair; and also for making and laying out proper Ways, Roads, Drains, Watercourses, Bridges and other requisite Works and Conveniences, and for keeping the same in good and sufficient Repair and Condition; and shall also express and contain such other Orders, Directions and Regulations, as by the said Commissioners shall be thought proper and necessary to be inserted therein, conformable to the true Tenor and Meaning of this Act, for the more easy, convenient and effectual Execution thereof, or for the preventing any Difficulties and Disputes in relation to the special Matters herein contained, pursuant and according to the several Powers and Authorities hereby given to and vested in the said Commissioners respectively; which said Award or Instrument shall be fairly ingrossed or written on Parchment, and read over in the Presence of the Proprietors who may attend at a Special General Meeting to be held for that Purpose (of which Fourteen Days Notice shall be given in the said Newspapers called *The Windsor Express* and *Reading Mercury*), and shall be executed by the Commissioners at such Meeting; which Execution shall be proclaimed the next Sunday in the several and respective Parish Churches situate within the said Forest; from which time only the said Award shall be considered as complete; and the said Award shall, within Six Calendar Months next after the Execution thereof, be enrolled in His Majesty's

ingrossed, &c.



Majesty's High Court of Chancery with the proper Officer or Officers of that Court, who is or are hereby required to cause the same to be enrolled, to the end Recourse may be had thereto by all Persons interred therein (for the Inspection and Perusal whereof no more than Five Shillings shall be paid); and a Copy thereof, or any Part thereof, when and as often as the same shall be required, shall be delivered to any Person interested, signed by the proper Officer of the said Court, purporting the same to be a true Copy (for which no more than Six pence *per* Sheet, reckoning Ninety Words to each Sheet, shall be paid); and after such Inrolment the original Award shall be deposited and kept in the Office of the Commissioners of Woods, Forests and Land Revenues, or the Surveyor General of Woods and Forests for the time being; and the said original Award, or a Copy of the Inrolment thereof, or of any Part thereof, signed by the proper Officer of the said Court, shall at all times be admitted as legal Evidence in all Courts whatsoever; and the several Allotments, Orders, Directions, Regulations, Matters and Things, which shall be made, specified and set forth in and by the said Award, shall be final, binding and conclusive, unto and upon all Parties and Persons interested in or entitled unto the several and respective Waste Lands to be divided and allotted in pursuance of this Act.

XLVI. And be it further enacted, That the said Commissioner hereinbefore appointed on the Part of His Majesty, shall and he is hereby required, at such time and times as he shall think proper, to mark and set out such Part and Parts of the said Open and Waste Land in the said Forest hereby directed to be divided, allotted and inclosed; to and for the Use of His Majesty as aforesaid, as by the Sale thereof will, in the Judgment of the said Commissioner, raise a sufficient Sum or Sums of Money to defray and discharge all the Costs, Charges and Expences of obtaining and passing this Act, and as shall be incident to and attending the preparing and enrolling the said Award to be made by the said Commissioners as aforesaid, and of surveying, admeasuring, planning, valuing, dividing, fencing and allotting the Lands and Grounds to be divided, fenced, allotted and inclosed for the Benefit of His Majesty, by virtue of this Act; and all the Charges of the said Two Commissioners, their Assessors, Clerks, Assistants and Servants, and the Umpire (if any shall be appointed), and all the other necessary Expences of the several Persons to be employed by the said Commissioners in and about the same; and all the Expences of forming, completing and repairing the Public Carriage Roads and Highways to be set out by the said Commissioners as aforesaid; and all other Expences of carrying this Act into Execution, so far as relate to any Allotment to be made to His Majesty as aforesaid; and so much and such Parts of the said Open and Waste Land so to be allotted to His Majesty, as shall be necessary to defray the said several Costs, Charges and Expences, and which shall be so marked and set out as aforesaid, shall be sold for the Purposes aforesaid; and all such Sales shall be made, and the Consideration Monies for the same be paid in the manner, and by and under the same Authorities, Rules, and Regulations as are mentioned and prescribed in and by the said Act passed in the Fifty second Year of the Reign of His present Majesty hereinbefore mentioned, touching the Sales thereby authorized or directed to be made, or as near thereto as circumstances will permit; and when and so soon as the Money

Lands to be sold  
for Payment of  
Expences attending His  
Majesty's Allotments.

52 G. 3. c. 16r.

Money arising from such Sale or Sales shall have been paid in manner aforesaid, the same shall be applied for the Purpose of defraying such Costs, Charges and Expences as aforesaid, at such time and times and in such manner as the Lords Commissioners of His Majesty's Treasury or any Three or more of them shall from time to time under their Hands direct or appoint; and such Parts of the said Open and Waste Land as shall be sold for the Purposes aforesaid, and for which the Consideration Money shall be paid in manner aforesaid, shall from thenceforth be vested in the Purchaser or Purchasers thereof, and his, her and their respective Heirs and Assigns for ever in Fee Simple, and be thenceforth held in Severalty by such Purchaser or Purchasers thereof, his, her and their Heirs and Assigns for ever.

Appointments by Lord Warden of Offices to cease, and Compensation made to Lord Warden, &c.

XLVII. And be it further enacted, That immediately after the Division and Allotments of the said Waste Lands shall be set out, allotted and confirmed to His Majesty, his Heirs and Successors, under the Authority of this Act, all and every Letters Patent and Grants by way of Appointment, and all and every Warrant and Warrants under the Sign Manual of the Lord Warden of the said Forest, or any other Person or Persons whomsoever, of any Offices, Bailiwicks, Walks and Lodges in the said Forest, and all Salaries, Gratuities and Fees, payable or allowed in respect of the same, shall thenceforth cease, end and determine; and Compensation and Satisfaction shall be made to the Lieutenant or Lord Warden and Deputy Lieutenant, and to the several Rangers, Head Keepers, Steward and other Officers in the said Forest (whether holding Lodges and Land within the said Forest by virtue of their several Offices or not) in Consideration of the Cessation of their said several Offices, and their relinquishing and giving up the Possession of the said Lodges and Land respectively, and all Claim and Interest therein or thereto, under any Grant, Letters Patent, or Appointment or Warrant as aforesaid; which Compensation and Satisfaction shall in every distinct and separate case be referred to and ascertained by the Lords Commissioners of His Majesty's Treasury, or any Three or more of them, or by such Person or Persons as they shall for that Purpose nominate and appoint on the Part of His Majesty, and by such indifferent Person as shall be nominated and appointed on the Part of each and every Officer of the said Forest interested or concerned in the Premises, and who are hereby empowered to send for Persons and Papers, and to examine the Parties and Witnesses upon Oath if necessary (which Oath any One of the said Lords Commissioners, or the Person so to be nominated as aforesaid, is hereby authorized and empowered to administer); provided that in case any Difference of Opinion shall arise on any Matter or Question touching or concerning such Compensation or Satisfaction to be made as hereinbefore directed, then the said Referee shall from time to time forthwith nominate and appoint any proper and competent Person or Persons to act as an Umpire or Umpires concerning the Premises; to whom all and every such Differences shall be referred, and whose Judgment and Determination therein shall be final, binding and conclusive, to all Intents and Purposes whatsoever.

No Gamekeeper to kill Game in Allotments to Lords of Manors, &c.

XLVIII. And be it further enacted, That no Gamekeeper or Underkeeper whatsoever, appointed by or acting under the Authority of His Majesty, his Heirs or Successors, shall at any time after the passing

passing of this Act, be authorized or privileged to kill Game, of any Description whatever, in any of the Lands now the Property of or to be allotted to Lords of Manors, Owners of Soil, and other Persons having Rights of Common within the said Forest as aforesaid.

XLIX. And be it further enacted, That, from and after the passing of this Act, no Person or Persons whomsoever shall have, exercise or enjoy any Right or Privilege to enter into any of the Lands so to be vested in His Majesty as aforesaid, for the Purpose of killing Game therein, or for the Hunting, Coursing or Destruction of any Kind of Game or Beasts of Chase, or Warren, without the Special Licence and Authority of His Majesty, his Heirs and Successors.

No Person, without Consent, to kill Game in His Majesty's Allotments.

‘ L. And whereas there are within the said several Parishes of *New Windsor, Old Windsor, Clewer, Winkfield, Sunninghill, Binfield, Finchampstead, Barkham, Wokingham and Swallowfield*, and the Liberties of *Newland and Winnersh in Hurst*, or some of them, over and besides the said Open Waste Ground to be divided, allotted and inclosed as aforesaid, divers Open and Common Fields and Commonable Lands and Waste Grounds: And whereas the King's Most Excellent Majesty, the said Mayor, Bailiffs and Burgesses, the Honourable *Laura Keppel* and divers other Persons, are the Owners and Proprietors of Messuages, Lands and Tenements within the said Parish of *New Windsor*, and the said Hamlet of *Dedworth*, in the Parish last mentioned, and as such are respectively entitled to Right of Common and other Interests in, upon and over the Open and Commonable Lands and Waste Grounds of the said Parish: And whereas the King's Most Excellent Majesty, the said *Henry Powney Isherwood, Laura Keppel, John Sturges, Henry Broadhead, John Martin Leake*, Esquires, and divers other Persons, are the Owners and Proprietors of Messuages, Lands and Tenements within the said Parish of *Old Windsor*, and as such are respectively entitled to Right of Common and other Interests in, upon and over the Open and Commonable Lands and Waste Grounds of the said Parish: And whereas the Right Honourable *William Earl Harcourt*, the said *Arthur Vanfutar, Laura Keppel, William Dawson, Richard Foster*, Esquires, and divers other Persons, are the Owners and Proprietors of Messuages, Lands and Tenements within the said Parish of *Glewer*, and as such are respectively entitled to Right of Common and other Interests in, upon and over the Open and Commonable Lands and Waste Grounds of the said Parish: And whereas the King's Most Excellent Majesty, *Stanlake Basfon*, Esquire, the said Master, Fellows and Scholars of *Saint John's College Cambridge*, *William Blanc, Daniel Agace*, Esquires, and divers other Persons, are the Owners and Proprietors of Messuages, Lands and Tenements within the said Parish of *Winkfield*, and as such are respectively entitled to Right of Common and other Interests in, upon and over the Open and Commonable Lands and Waste Grounds of the said Parish: And whereas the said *George Simson* and *George Henry Crutchley*, and the said Master, Fellows and Scholars of *Saint John's College Cambridge*, and divers other Persons, are the Owners and Proprietors of Messuages, Lands and Tenements within the said Parish of *Sunninghill*, and as such are respectively entitled to Right of Common and other Interests in, upon and over the Open and Commonable Lands and Waste Grounds of the said Parish: And whereas the said *George Henry Crutchley*,

Crutchley, George Henry Elliott, William Lucas, Esquires, and  
 divers other Persons, are the Owners and Proprietors of Messuages,  
 Land and Tenements within the said Parish of *Binfield*, and as such  
 are respectively entitled to Right of Common and other Interests in,  
 upon and over the Open and Commonable Lands and Waste  
 Grounds within the said Parish: And whereas *Charles Fyfe Palmer*  
 Esquire, and *Henry Hellis Saint John*, and divers other Persons,  
 are the Owners and Proprietors of Messuages, Lands and Tene-  
 ments within the said Parish of *Finchampslead*, and as such are re-  
 spectively entitled to Right of Common and other Interests in, upon  
 and over the Open and Commonable Lands and Waste Grounds of  
 the said Parish: And whereas the said *John Leveson Gower*, *Peter*  
*Green* Esquire, and divers other Persons are the Owners and Pro-  
 prietors of Messuages, Lands and Tenements within the said Parish  
 of *Barkham*, and as such are respectively entitled to Right of  
 Common and other Interests in, upon and over the Open and Com-  
 monable Lands and Waste Grounds within the said Parish: And  
 whereas the said *Charles Fyfe Palmer* and *John Roberts*, and  
 divers other Persons, are the Owners and Proprietors of Messuages,  
 Lands and Tenements within the said Parish of *Wokingham*, and as  
 such are respectively entitled to Right of Common and other In-  
 terests in, upon and over the Open and Commonable Lands and  
 Waste Grounds within the said Parish: And whereas Sir *Samuel*  
*Fludger* Baronet, *John Symonds* Esquire, and divers other Persons,  
 are the Owners and Proprietors of Messuages, Lands and Tenements  
 within the said Liberty of *Newland*, in the said Parish of *Hurff*, and  
 as such are respectively entitled to Right of Common and other In-  
 terests in, upon and over the Open and Commonable Lands and  
 Waste Grounds within the said Liberty: And whereas the said  
*John Leveson Gower*, *Charles Garth Colleton*, *Charles Simonds*,  
 Esquires, and divers other Persons, are the Owners and Proprietors  
 of Messuages, Lands and Tenements within the Liberty of *Winnersh*,  
 in the said Parish of *Hurff*, and as such are respectively entitled to  
 Right of Common and other Interests in, upon and over the Open  
 and Commonable Lands and Waste Grounds within the said Li-  
 berty: And whereas the said *Timothy Hare Earle*, *Edward Ste-*  
*phenson* Esquire, and divers other Persons, are the Owners and Pro-  
 prietors of Messuages, Lands and Tenements within the said Parish  
 of *Swallowfield*, and as such are respectively entitled to Right of  
 Common and other Interests in, upon and over the Open and  
 Commonable Lands and Waste Grounds within the said Parish:  
 And whereas an Act was passed in the Forty first Year of the  
 Reign of His present Majesty, intituled *An Act for consolidating in*  
*One Act certain Provisions usually inserted in Acts of Inclosure, and*  
*for facilitating the Mode of proving the several Facts usually required*  
*on the passing of such Acts*: And whereas the said Open and Waste  
 Ground, Common Fields and Commonable Lands in the said several  
 Parishes and Liberties of *New Windsor*, *Old Windsor*, *Clewes*,  
*Winkfield*, *Sunninghill*, *Binfield*, *Finchampslead*, *Barkham*, *Woking-*  
*ham*, *Swallowfield*, *Newland* and *Winnersh*, are in their present  
 State incapable of any considerable Improvement, and it would  
 be advantageous to the several Lords of Manors, Proprietors and  
 other Persons interested therein, if the same respectively were di-  
 vided and inclosed, and specific Parts and Shares thereof allotted to  
 and

41 G. 3. (U.K.)  
 c. 109.

‘ and amongst such Lords of Manors and Proprietors of Estates in  
 ‘ the said several Parishes and Liberties respectively, and other Per-  
 ‘ sons interested therein, according to their several and respective Pro-  
 ‘ perties, Rights and Interests;’ Be it therefore enacted, That all the  
 said Open Waste Grounds, Common Fields and Commonable Lands,  
 within the said several and respective Parishes and Liberties of *New*  
*Windsor*, *Old Windsor*, *Clewer*, *Winkfield*, *Sunninghill*, *Binfield*, *Fin-*  
*chamstead*, *Barkham*, *Wokingham*, *Swallowfield*, *Newland* and *Win-*  
*nersh* (save and except such Parts thereof as are hereinbefore directed  
 to be allotted unto and for His Majesty as aforesaid), shall, as soon  
 as conveniently may be after the passing of this Act, be divided, allot-  
 ted and inclosed, in the manner, and subject to the Rules, Orders, Di-  
 rections and Regulations mentioned and contained in the said recited  
 Act of the Forty first Year of His present Majesty (except in such  
 cases where the same are hereby altered or varied) and as hereinafter  
 enacted and mentioned; and for which Purpose, that *James Fangoin*  
 of *New Windsor* aforesaid, Gentleman, and his Successors, to be  
 elected in the manner hereinafter mentioned, shall be and he is hereby  
 appointed the sole Commissioner for dividing, allotting and inclosing  
 the said Open and Waste Ground and Commonable Lands within the  
 Parish of *New Windsor* and Hamlet of *Dedworth* aforesaid; that  
*Thomas Wyatt* of *Wargrave*, in the said County, Gentleman, and his  
 Successors, to be elected in the manner hereinafter mentioned, shall be  
 and he is hereby appointed the sole Commissioner for dividing, allot-  
 ting and inclosing the said Open and Waste Ground, Common Fields  
 and Commonable Lands, within the Parish of *Old Windsor* aforesaid;  
 that *George Smallpiece* of *Stoke*, next *Guildford*, in the County of  
*Surry*, Gentleman, and his Successors, to be elected in the manner  
 hereinafter mentioned, shall be and he is hereby appointed the sole  
 Commissioner for dividing, allotting and inclosing the said Open Waste  
 Ground, Common Fields and Commonable Lands within the Parish  
 of *Clewer* aforesaid; that the said *John Davis*, and his Successors,  
 to be elected in the manner hereinafter mentioned, shall be and he  
 is hereby appointed the sole Commissioner for dividing, allotting and  
 inclosing the said Open and Waste Ground, Common Fields and  
 Commonable Lands within the Parish of *Winkfield* aforesaid; that  
 the said *George Smallpiece*, and his Successors, to be elected in the manner  
 hereinafter mentioned, shall be and he is hereby appointed the sole Com-  
 missioner for dividing, allotting and inclosing the said Open and Waste  
 Ground and Commonable Lands within the Parish of *Sunninghill*  
 aforesaid; that *Richard Crabtree* of *Wokingham*, in the said County of  
*Berks*, Gentleman, and his Successors, to be elected in the manner  
 hereinafter mentioned, shall be and he is hereby appointed the sole  
 Commissioner for dividing, allotting and inclosing the said Open and  
 Waste Ground, Common Fields and Commonable Lands within the  
 Parish of *Binfield* aforesaid; that *John Trumper* of *Harefield*, in the  
 County of *Middlesex*, Gentleman, and his Successors, to be elected in  
 the manner hereinafter mentioned, shall be and he is hereby appointed  
 the sole Commissioner for dividing, allotting and inclosing the said  
 Open and Waste Ground and Commonable Lands within the Parish  
 of *Swallowfield* aforesaid; that the said *George Smallpiece* and  
*Richard Crabtree*, and their Successors, to be elected in the manner  
 hereinafter mentioned, shall be and they are hereby appointed the  
 Commissioners for dividing, allotting and inclosing the said Open and  
 Waste

All Open  
 Waste and Com-  
 monable Lands,  
 except such  
 Parts as shall be  
 allotted to His  
 Majesty, to be  
 divided, allotted,  
 and inclosed.

Commissioners,

Waste Ground, Common Fields and Commonable Lands within the Parish of *Finchamstead* aforesaid; that the said *Richard Crabtree*, and his Successors, to be elected in the manner hereinafter mentioned, shall be and he is hereby appointed the sole Commissioner for dividing, allotting and inclosing the said Open and Waste Ground, Common Fields and Commonable Lands within the Parish of *Barkham* aforesaid; that the said *George Smallpiece*, and his Successors, to be elected in the manner hereinafter mentioned, shall be and he is hereby appointed the sole Commissioner for dividing, allotting and inclosing the said Open and Waste Grounds, Common Fields and Commonable Lands within the Parish of *Wokingham* aforesaid; that the said *George Smallpiece*, and his Successors, to be elected in the manner hereinafter mentioned, shall be and he is hereby appointed the sole Commissioner for dividing, allotting and inclosing the said Open and Waste Grounds and Commonable Lands within the Liberty of *Newland* aforesaid; and that *Richard Davis* of the *Grove* near *Stoken Church*, in the County of *Oxford*, Gentleman, and his Successors, to be elected in the manner hereinafter mentioned, shall be and he is hereby appointed the sole Commissioner for dividing, allotting and inclosing the said Open and Waste Ground and Commonable Lands within the Liberty of *Winnersh* aforesaid; and for putting so much of this Act and the said recited Act in Execution, as is not herein otherwise specially provided for and enacted.

New Commis-  
sioners elected  
in case of Death.

LI. And be it further enacted, That in case any or either of the said Commissioners for the said Parishes or Liberties, or their Successors, to be elected in the manner hereinafter mentioned, shall happen to die, or neglect, decline or become incapable to act, for the Space of Two Calendar Months, before the Execution of all the Powers hereby vested in them, then the surviving or acting Commissioner in those Parishes where Two Commissioners shall be appointed, shall not proceed further in the Execution of this Act, until another Commissioner shall be duly appointed in manner hereinafter directed; and that in every case where One Commissioner only shall be appointed, it shall and may be lawful to and for a Majority in Value of the Proprietors of Lands and Tenements within the said several and respective Parishes and Liberties of *New Windsor*, *Old Windsor*, *Clewer*, *Winkfield*, *Sunninghill*, *Binsfield*, *Finchamstead*, *Barkham*, *Wokingham*, *Swallowfield*, *Newland* and *Winnersh* (to be ascertained by the Assessments for the Land Tax in the said several Parishes and Liberties respectively), or their Agents, duly authorized under their Hands, to appoint such other Person or Persons to be a Commissioner or Commissioners in the room of any or either of such Commissioner or Commissioners so dying, or refusing, declining or becoming incapable to act as aforesaid; and for that Purpose the surviving or acting Commissioner, in all cases where there shall be Two Commissioners, shall and he is hereby required, immediately after such Death, Refusal or Incapacity of the said other Commissioner or Commissioners, to cause Notice thereof, in Writing, to be affixed on the Principal Doors of the Churches of the several and respective Parishes aforesaid, where any Vacancy of a Commissioner shall happen from any of the Causes aforesaid, upon a *Sunday*, before Divine Service, and to be inserted in the Newspapers called *The Windsor Express* and *Reading Mercury* (if then printed), or otherwise, in some other Newspaper usually circulated in the said County of *Berks*, at least Fourteen

Days before such intended Meeting, and which Meetings, they are hereby authorized and empowered to appoint accordingly; and in case of a Vacancy of a Commissioner in any of the said Parishes or Liberties where only One Commissioner shall be appointed, such Notice for the Appointment of a new Commissioner or Commissioners as hereinbefore directed, shall and may be given by any Person interested in the Inclosure, within all or any of the said Parishes respectively, and such Commissioner or Commissioners respectively, shall be invested with and have the same Powers and Authorities for carrying this and the said recited Act into Execution, as if he or they had been originally nominated and appointed a Commissioner or Commissioners in and by this Act.

LII. Provided always, and be it further enacted, That wherever there are Two Commissioners named and appointed for any one or either of the said Parishes, and such Two Commissioners shall differ or disagree in Opinion touching or concerning any Matter or Thing to be done and performed in pursuance of or by virtue of this or the said recited Act then, and in every such case, it shall be lawful for such Two Commissioners, with all convenient Speed after such Disagreement or Difference in Opinion, from time to time as often as the same shall happen, to refer the Matter thereof to some Person or Persons, to be named as Umpire, who shall be elected in the manner hereinafter mentioned, for settling and determining such Difference or Disagreement between any such Two Commissioners; and the Determination of such Umpire in the Premises shall be binding and conclusive upon all Parties, so far as the Determination of the said Commissioners is by the said recited Act or this Act directed to be conclusive.

LIII. Provided also, and be it further enacted, That no Person shall be capable of acting as an Umpire in the Execution of this Act, or the said recited Act, until he shall have taken and subscribed an Oath in the Form and to the Effect following; that is to say,

I do swear, That I will faithfully, impartially and honestly, according to the best of my Skill and Judgment, execute and perform the several Trusts, Powers and Authorities invested and reposed in me as an Umpire, by virtue of an Act passed in the Fifty third Year of the Reign of King George the Third, intituled *An Act* [here insert the Title of this Act] according to Equity and good Conscience, and without Favour or Affection, Prejudice or Partiality, to any Person or Persons whomsoever.

So help me God.

Which Oath such Two Commissioners, or either of them, are and is hereby authorized and required to administer to the said Umpire; and the Writing or Writings appointing every new Umpire shall be added or annexed to and enrolled and deposited with the Award of the said Commissioners, and a Copy of the Inrolment thereof shall be admitted as legal Evidence in all Courts and Places whatsoever.

LIV. Provided also, and be it further enacted, That in case any Person or Persons who shall be nominated and appointed an Umpire by any such Two Commissioners as aforesaid, by virtue of this Act, shall die or refuse or neglect to act as such Umpire within the Space of Fourteen Days after Application made to him for that Purpose,

Vacancies by Death, &c. of Umpire supplied.

or shall become incapable of acting in the Execution of this Act, then and in every such case it shall and may be lawful to and for such Two Commissioners, and they are hereby authorized and required, by Writing under their Hands, to nominate and appoint any other Person (not interested in the said Divisions, Allotments and Inclosures respectively) to be such Umpire as aforesaid, who shall have such and the like Powers, and be subject to the same Rules, Regulations and Restrictions, as the Person in whose Room or Stead he shall be so nominated and appointed had or was subject or liable to.

Commissioners  
to give Notice  
of their Sitting.

L.V. And be it further enacted, That the said Commissioner or Commissioners for each of the said Parishes and Liberties respectively shall and he and they is and are hereby required to give, or cause to be given, public Notice in the Newspapers called *The Windsor Express* and *Reading Mercury*, or in some Newspaper or Newspapers printed or circulated within the said County of *Berks*; and also by Writing signed by him or them, affixed on the principal Door of the Church of the Parish for which he or they is or are a Commissioner or Commissioners, on some *Sunday* immediately before Divine Service, of the Time and Place of his or their first and every other subsequent Sitting for executing the Powers of the said recited Act and this Act, Ten Days at least before every such Sitting (Sittings by Adjournment only excepted) and that all Sittings of the said respective Commissioners for the Purpose of putting this Act in Execution, shall be holden in the said several and respective Parishes and Liberties for which such Commissioner or Commissioners shall be appointed respectively, or within Six Miles thereof respectively.

How other  
Notices given.

L.VI. And be it further enacted, That all other Notices requisite or necessary to be given by the respective Commissioners, shall be given by Advertisement, to be inserted in the said Newspapers called *The Windsor Express* and *Reading Mercury*, or in case the same shall not then be published, then in some other Newspaper usually circulated in the said County of *Berks*.

Commissioners  
to determine  
Differences.

L.VII. And be it further enacted, That if any Dispute or Difference shall arise between any of the Parties that now are or shall, before the making of the Award of the said Commissioners for the said Parishes and Liberties respectively, be interested or claim to be interested in the said intended Division and Allotments to the Lords of Manors and Proprietors of Estates as aforesaid, or any of them, touching or concerning the respective Shares or Proportions which they or any of them shall claim, or ought to have in any of the Lands and Grounds hereby intended to be divided and allotted, exclusive of the Allotments to His Majesty as aforesaid, it shall be lawful for the said Commissioners respectively, within their respective Parishes, and they are hereby authorized and required to hear and determine the same: Provided always, that nothing in this Act contained shall authorize the said Commissioners to determine the Title to any Messuages, Lands, Tenements or Hereditaments whatsoever.

Commissioners  
may award  
Costs.

L.VIII. And be it further enacted, That in case the said Commissioners, so appointed or to be appointed for the said Parishes and Liberties respectively, shall, upon the Hearing and Determination of any Claim or Objection, to be delivered to them in pursuance of this or the said recited Act, see Cause to award any Costs, it shall be lawful for the said Commissioners respectively and they are hereby empowered,



empowered, upon Application made to them for that Purpose, to settle, assess and award such Coſts and Charges as they or he shall think reasonable to be paid to the Party or Parties in whose Favour the Determination of the said Commissioners shall be paid †, by the Person or Persons whose Claim or Objection shall be thereby disallowed or over-ruled; and in case the Person or Persons who shall be liable to pay such Coſts and Charges, shall neglect or refuse to pay the same on Demand, then and in such case it shall be lawful for the said Commissioners, and they are hereby authorized and required, by Warrant under their Hands and Seals, directed to any Person or Persons whomsoever, to cause such Coſts to be levied in due Form of Law, by Distress and Sale of the Goods and Chattels of the Person and Persons so neglecting or refusing to pay the same, rendering the Overplus (if any), upon Demand, to the Person or Persons whose Goods and Chattels shall have been distrained and sold, after deducting the Coſts and Charges attending such Distress and Sale.

† Sic.

Distress.

LIX. Provided always, and be it further enacted, That if any Person or Persons making any Claim or Claims to any Lands or Hereditaments intended to be divided or affected by this Act, or any Rights or Interests therein, or objecting to any such Claim or Claims, shall be dissatisfied with the Determination of the said Commissioners or Umpire, for the said Parishes and Liberties respectively, and shall be desirous of having such Claim or Claims, Rights and Interest, respectively tried at Law, and the Person or Persons so desirous of having the same tried at Law, shall by themselves or their respective Stewards, Receivers, Attornies or Agents, give or cause to be given Notice thereof in Writing to the said Commissioners so appointed or to be appointed, for the said Parishes and Liberties respectively as aforesaid, or either of them, within Two Calendar Months next after such Determination shall have been so made by the said Commissioners or Umpire (of which Notice the said Commissioners are hereby required immediately on Receipt thereof, or as soon as conveniently may be, to give Information to the adverse Party or Parties, or his or their respective Stewards, Receivers, Attornies or Agents, by Writing under their respective Hands, to be delivered to or left at the usual Place of Abode of such Party or Parties, Stewards, Receivers, Attornies or Agents as aforesaid); then, but not afterwards, it shall be lawful for the Person or Persons giving such Notice as aforesaid, their respective Heirs, Successors and Assigns, and he, she or they is and are hereby required to proceed to a Trial or Trials at Law respecting such Claim or Claims, Rights or Interests as aforesaid, at the then next or the following Assizes to be holden for the said County of *Berks*, in a feigned Action or Actions for that Purpose to be commenced by the Person or Persons giving such Notice as aforesaid, against any Person or Persons interested in the said Division and Inclosure, who shall make such Objection or Objections within Two Calendar Months next after such Notice shall be given to the said respective Commissioners as aforesaid; and the Defendant or Defendants in such Action or Actions shall forthwith name an Attorney or Attornies, who shall file Common Bail, or appear and accept One or more Issue or Issues, whereby all such Claim or Claims, and Rights and Interests may be properly tried and determined, such Issue or Issues to be settled by the proper Officer of the Court wherein such Action shall

Power to try disputed Claims at Law.

be brought, if the Parties differ about the same; and the Verdict or Verdicts which shall be given in such Action or Actions shall be final and conclusive to all Persons whomsoever, unless the Court wherein such Action or Actions shall be brought shall set aside such Verdict or Verdicts and order a new Trial to be had therein, which it shall be lawful for the Court to do, as is usual in other cases; and after any Verdict or Verdicts shall have been obtained, and not set aside by the Court, the said Commissioners shall and they are hereby authorized and required to conform thereto; but if no such Action or Actions at Law shall be brought or commenced by the Person or Persons giving such Notice as aforesaid, or if such Action or Actions shall not be proceeded in and brought to a Trial or Trials at the First Assizes which shall be holden for the County of *Berks*, after the Expiration of Thirty Days from the Day of giving such Notice, by or on account of the Neglect or Default of the Plaintiff or Plaintiffs therein, then and in such case the Determination of the Commissioners or Umpire shall be final, binding and conclusive unto and upon all Parties whomsoever: Provided also, that if any of the Parties in any Action or Actions to be brought in pursuance of this Act shall die pending the same, such Action or Actions shall not abate by reason thereof, but shall be proceeded in as if no such Event had happened.

How Actions  
brought after  
Death of Parties.

LX. Provided also, and be it further enacted, That if any Person or Persons in whose Favour any such Determination as aforesaid shall have been made, and against whom any Action or Actions might have been brought if living, shall die before any such Action or Actions shall have been brought; and before the Expiration of the time hereinbefore limited for bringing such Action or Actions, it shall be lawful for the Person or Persons, Body or Bodies Politic or Corporate, who might have brought such Action or Actions against the Person or Persons so dying, to bring the same within the time so limited as aforesaid against such Person or Persons as if actually living, and to serve the Clerk of the said Commissioners for the said several Parishes and Liberties respectively with Notice of such Action or Actions, in the same manner as the Party or Parties might have been served therewith if living; and it shall thereupon be incumbent on the Heir or Heirs, or other Person or Persons who shall claim the Benefit of such Determination as aforesaid, to appear and defend such Action or Actions in the Name or Names of the Person or Persons so dead, and Proceedings shall be had therein, and in the same manner, as if such Person or Persons had been actually living; and the Rights of all Parties shall be equally bound and concluded by the Event of such Action or Actions.

Commissioners  
not to determine  
contrary to  
Possession.

LXI. Provided also, and be it further enacted, That nothing in this Act contained shall extend to enable the said Commissioners to determine any Right between any Lords of Manors or Proprietors, contrary to the Possession of such Lords of Manors and Proprietors; but that the said Commissioners shall and they are hereby required (notwithstanding any disputed or contested Title or Titles) to set out, allot and award all and every Allotment of Land in Right of any Manors, Lauds and Tenements unto and for the Lords of Manors and other Proprietors respectively, who may be in the actual Possession of such Manors, Lauds and Tenements,

in

in respect whereof such Allotment or Allotments shall be so made as aforesaid.

LXII. And be it further enacted, That out of the Money which shall be raised as hereinafter mentioned for defraying the Expences of carrying this Act into Execution, so far as respects the dividing, allotting and inclosing the Open Waste Ground and Common Lands in the said several and respective Parishes and Liberties aforesaid, there shall be paid to each Commissioner and Umpire, as a Recompence for his Pains and Trouble, the Sum of Three Pounds Three Shillings and no more, for each Day he shall be attending in the Execution of this Act or the said recited Act, and in travelling to and from such Meetings (including all Travelling Charges and Expences whatsoever, except the Money they shall pay to the Servants, and for the Room or Rooms wherein such Meeting shall be held).

Allowance to  
Commissioners  
and Umpire.

LXIII. And, in order to save all unnecessary Expences and Delay in the Execution of this Act or the said recited Act, be it further enacted, That it shall and may be lawful to and for any Person or Persons having in his or their Custody or Possession any actual Surveys, Maps or Plans of any Lands or Grounds within the said respective Parishes, or any of them, to deliver such Surveys, Maps and Plans unto the said Commissioners for carrying this Act and the said recited Act into Execution, at such time or times as the said Commissioners shall appoint for that Purpose: and that the said Commissioners shall thereupon enquire by the Oath as well of the Person or Persons delivering such Surveys, Maps or Plans respectively, as of such other Person or Persons as they shall think fit (which Oaths they are hereby respectively authorized to administer) as to the Authenticity and Accuracy of every such Survey, Map and Plan; and in all cases where the said Commissioners shall be satisfied that such Surveys, Maps and Plans are authentic, and have been accurately made, and will answer the Purpose of a New Survey (but not otherwise), they the said Commissioners shall cause the same to be used in such manner as they shall think proper for the Purposes herein mentioned, instead of making a new Admeasurement and Plan of the Lands and Grounds so comprised and described in the Maps and Plans aforesaid; and that the said Commissioners, out of the Monies to be raised by virtue of this Act, shall make Satisfaction to the Parties called before them for their Trouble and Attendance with the same, as well as for the Copies that shall be made thereof: Provided always, that in case such Person or Persons having the Possession of any such Surveys, Maps or Plans, shall refuse or neglect to produce the same at such time or times as the said Commissioners shall for that Purpose appoint, then such Surveys, Maps or Plans shall not at any time thereafter be received or admitted by the said Commissioners.

Authenticated  
Surveys, &c.  
already made  
may be used.

LXIV. And be it further enacted, That, from and after the First Day of July One thousand eight hundred and fourteen, all and singular the Lands, Tenements and Hereditaments within the said respective Parishes and Liberties (save and except such Parts thereof respectively as are now or shall or may become vested in His Majesty, or any Person or Persons in Trust for Him by virtue hereof) shall be, and the same is and are hereby disafforested to all Intents and Purposes whatsoever; and that from thenceforth no Person or Persons shall be questioned or liable to any Pain, Penalty or Punishment

Lands to be dis-  
afforested.

ment for hunting, coursing, killing, destroying or taking any Deer whatsoever within the same, save and except within such Part or Parts thereof (if any) as shall be inclosed with Pales and kept for a Park or Parks by the Owners, Lessees or Tenants thereof.

Commissioners  
to extinguish  
Rights of  
Common.

LXV. And be it further enacted, That, from and after such time or times as the said respective Commissioners for the several Parishes and Liberties aforesaid shall direct by Writing under their respective Hands, to be affixed on the principal Doors of the Parish Churches of the said several Parishes, and to be published in *The Windsor Express* and *Reading Mercury* (if then printed), or in some other Newspaper or Newspapers usually circulated in that Part of the Country, all Right of Common of Pasture and Turbary, of the said Proprietors of Messuages, Lands and Tenements, and all other Persons interested therein, in and upon the several Allotments of the Commons and Waste Lands within the said respective Parishes by this Act directed to be set out, allotted and awarded unto the Proprietors of Messuages, Lands and Tenements, and Persons respectively interested therein as aforesaid (except as to any Allotment or Allotments to be set out and allotted for the Use of the Poor in all or any of the respective Parishes and Liberties aforesaid) shall respectively from thenceforth cease, determine and be for ever extinguished.

Turf, Gravel,  
&c. not to be  
taken without  
Licence of  
Commissioners.

LXVI. And be it further enacted, That if any Person or Persons after the passing of this Act, and while the same is carrying into Execution, shall cut, dig or carry away any Gravel, Earth, Sand, Stone, Clay or any Turves, Furze, Fern or other Fuel in, upon or from the said Commonable Grounds, Heath and Waste Lands or any Part thereof, without the Licence of the said last mentioned Commissioners respectively first had and obtained in Writing for that Purpose (which Licence the said Commissioners respectively are hereby empowered to grant), then and in every such case, upon Proof thereof made before any One or more Justice or Justices of the Peace for the said County of *Berks*, either by Confession of the Party or Parties offending, or upon the Oath of One credible Witness (which Oath such Justice or Justices is and are hereby empowered and required to administer), such Justice or Justices is and are hereby required, by Warrant under his or their Hand and Seal, or Hands and Seals, directed to any Person or Persons whomsoever, to cause any Sum of Money not exceeding Five Pounds, to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons so offending, rendering the Overplus (if any) upon Demand to the Person or Persons whose Goods and Chattels shall have been so distrained and sold, after deducting the Costs and Charges attending such Distress and Sale; and the Money so to be levied as aforesaid shall be applied towards defraying the Costs and Charges of executing this Act; and every Person shall be allowed to give Evidence of such Offence, notwithstanding he or she may be interested in the Inclosure; and if sufficient Distress shall not be found, and such Penalty shall not be forthwith paid, it shall and may be lawful for such Justice or Justices of the Peace, and he and they is and are hereby authorized and required, by Warrant or Warrants under his or their Hand and Seal or Hands and Seals, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of the County, Riding or District, where  
such

Imprisonment.

such Offender or Offenders shall be convicted, there to remain without Bail or Mainprize for any time not exceeding One Month for the First Offence, and for the Second and every other Offence of the same Kind, for any time not exceeding Six Months nor less than Two Months, unless such Penalties or Fines, and all reasonable Charges and Expences attending the same, shall be sooner paid and satisfied.

LXVII. And be it further enacted, That the said Commissioners for the said several and respective Parishes and Liberties shall in their respective Parishes and Liberties, as soon after the passing of this Act as they shall respectively think proper, and before he or they proceed to make any of the Allotments hereinafter directed, appoint and ascertain all such Public and Private Carriage Roads, Bridle Roads and Footpaths over the Lands and Grounds hereby intended to be divided and inclosed (and not hereinbefore allotted to His Majesty), as they shall respectively judge necessary (except any Roads herein specifically directed to be stopped up or kept open), and all such Roads and Footpaths shall be set out by the said respective Commissioners in the manner directed by the said recited Act passed in the Forty first Year of the Reign of His present Majesty.

Parish Commissioners to appoint and set out public Carriage Roads.

LXVIII. And be it further enacted, That it shall be lawful for the said Commissioners so appointed or to be appointed for the said Parishes and Liberties respectively, and they are hereby authorized and empowered to turn, alter, shut up or stop, and in and by their Award directed by the said recited Act to be made, order and direct to be turned, altered and discontinued, such of the present old and accustomed Roads, Highways, Lanes, and Footpaths or Ways leading through or over the old inclosed Lands or Tenements within the several Parishes and Liberties aforesaid (but subject nevertheless to the Regulations contained in the said recited Act, respecting the stopping up of such Roads, and to the Provisions hereinafter contained respecting such Roads, Lanes, Footpaths or Ways); and that the said Commissioners shall and they are hereby authorized and empowered to allot the Soil of and the Grass and Herbage growing and renewing in and upon all and every such Roads, Lanes and Ways, so to be shut and stopped, to and for the Use of such Person or Persons as they shall direct and appoint in or by their said Award.

41 G. 3. (U.K.) c. 109.

Turning and stopping up Roads;

LXIX. Provided always, and be it further enacted, That nothing herein contained shall authorize such Commissioner or Commissioners to interfere with or give any Order or Direction, or exercise any Power in or about the turning, altering, shutting up or stopping any of the Roads, Highways or Footpaths in any of the Allotments of the Waste Lands to be made to His Majesty as aforesaid.

Not to interfere with Roads, &c. in Allotments to His Majesty.

LXX. And be it further enacted, That when any of the Roads or any Branches of the Roads which are to be set out, made or repaired by such Commissioner and Commissioners shall have been sufficiently and effectually made and repaired, then any Two of His Majesty's Justices of the Peace for the County of *Berks* (not interested in the Inclosure or Division) may and they are hereby required from time to time to certify the same, without waiting for a Completion of the rest of the Roads to be made and repaired within any Parish or Liberty; and from and immediately after any such Roads shall be so certified as aforesaid, the future Re-

Part of Roads may be certified as made.

pairs thereof (except as to the Roads which are to be kept in Repair by His Majesty) shall be done by and at the Expence of the Occupiers of the Lands within the Parish or Liberty wherein such Road is situate.

Cattle, Sheep,  
&c. not to be  
depastured in  
Roads.

LXXI. And be it further enacted, That no Person or Persons whomsoever shall permit any Sort of Cattle, Beasts, Sheep, Lambs or Swine, to graze in any of the Highways, Lanes or Passages which the said Commissioners for the said several Parishes and Liberties shall order or direct to be laned off or fenced on both Sides, for the Space of Seven Years next after the signing of the Award of the said Commissioners hereinafter mentioned, under a Penalty not exceeding Five Shillings for every Horse, Beast, Sheep, Lamb or Swine found grazing thereon, to be paid to such Person or Persons who shall take and impound the same (which any Person or Persons, are and is hereby authorized and empowered to do); which said Penalty shall, if not paid on Demand thereof being made of the Owner of any such Horse, Beast, Sheep, Lamb or Swine, be recovered by Application and Complaint to any Justice of the Peace for the said County of *Berks*, not interested in the said Lands and Grounds, who is hereby authorized and required to summon the Parties concerned, and examine into the Facts by one or more Witnesses or Witnesses on Oath (which Oath the said Justices are hereby empowered and required to administer), and after such Summons and Examination shall and may, if he sees just Cause, order the said Penalty to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons to whom such Horse, Beast, Sheep, Lamb or Swine shall belong, rendering the Overplus (if any) to the Owner and Owners of such Goods and Chattels, after deducting the Costs of such Summons, Warrant, Distress and Sale.

Commissioners  
may divert  
Streams and  
Watercourses.

LXXII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby respectively empowered and required to direct, order and award any Streams of Water, Springs and Watercourses, within the said several and respective Parishes and Liberties, to be carried and conveyed in such Course, and through such Lands and Grounds, Parcels of the said Lands hereby intended to be inclosed and divided (other than and except the said Allotments so to be made to His Majesty as aforesaid), as they in their Discretion respectively shall think necessary and proper for the Purposes aforesaid; but that it shall not be lawful for any Commissioners under this Act to divert, alter or change any such Stream, Spring or Watercourse, or make any such new Drains, Cuts or Ditches, or lay out any such Drains, new Cuts and Ditches, through or over any of the said Wastes or Commons, or Lands to be allotted or divided under this Act; nor shall any Person or Persons to whom any Lands shall be awarded and allotted under this Act, make any such Drains, Cuts or Ditches, so as to carry or throw the Water from any such new Inclosures upon any Lands or Grounds now inclosed or under Cultivation, so as to injure the same, or so as to injure any Mill or Piece of ornamental Water, or in any case, in which the Rivers, Rivulets, Watercourses, Drains, Cuts and Ditches, into which the Water from any such new Drains, Cuts or Ditches shall flow, shall not be sufficient to carry off such Waters without any Injury to Lands now inclosed or under Cultivation, unless the said Commissioners or Persons to whom any Lands may be awarded or allotted

allotted under this Act, by the opening or cleansing of any old Rivers, Rivulets, Watercourses, Drains or Ditches, or making any new Drains, Cuts or Ditches, with the Consent in Writing of the Person interested in the Soil and Banks of such Rivers, Rivulets, Watercourses, Drains or Ditches, and of the Owner and Occupier of the Lands or Grounds through which the same run, can carry off such Water without Injury to the Owners or Occupiers of any Lands or Grounds now inclosed or in Cultivation, or which may be inclosed under the Provisions of this Act: Provided always, that no such Stream, Spring or Watercourse shall be diverted or turned from or into any inclosed Lands or Grounds without the Consent in Writing of the Owner or Owners thereof.

LXXIII. And be it further enacted, That the said several Commissioners for the respective Parishes and Liberties aforesaid shall, and they are hereby required to set out, allot and award unto and for the several other Lords of the said Manors respectively for the time being, in lieu of their respective Rights to the Soil of the respective Commons and Wastes within the said Manors respectively, such Parts and so much of the respective Commons and Wastes within the said Manors respectively, and hereby directed to be inclosed, as in their Judgment shall be equal to Two Thirty second Parts of the whole of such Commons and Wastes respectively, for a full Compensation for their respective Rights to the Soil of such Commons and Wastes respectively as such Lords of the said respective Manors.

Allotments for  
Lords of Ma-  
nors.

LXXIV. And whereas the Master and Poor Men (Sixteen in Number) constantly residing and relieved in the Hospital or Almshouse in the Parish of *Wokingham*, heretofore founded and endowed by *Henry Lucas* Esquire, have been usually supplied with Fuel in their respective Apartments within the said Hospital from the Commons and Heaths within the said Parish of *Wokingham*, although every Parish in the Forest has an alternate Right of Presentation to the said charitable Institution; and it is desirable that some Provision shall be made for the future Supply of Fuel to the said Hospital; Be it therefore enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and required to set out and allot unto the Reverend *William Bremner*, and his Successors, the Master and Chaplain of the said Hospital or Almshouse for the time being, Thirty Acres of Heath or Waste Land, fit and proper for Fuel within the said Parish of *Wokingham*; (Fifteen Acres whereof to be taken as Part of the Allotment directed to be made to His Majesty as Compensation for Forestal Rights, and the remaining Fifteen Acres from all the other Persons entitled to Right of Common in the said Parish, in such Piece or Pieces as the said Commissioners shall think fit;) and such Piece or Pieces of Land so to be set out to the said *William Bremner* and his Successors as aforesaid shall, on the Execution of the Award of the said Commissioners, be vested, in him the said *William Bremner* and his Successors, the Master and Chaplain of the said Hospital or Almshouse for the time being, for ever, in Trust for the Supply of Fuel for such Master and Chaplain, and of the said Poor Men who for the time being shall reside and dwell in the said Hospital, to be there used and consumed and not elsewhere.

Allotment to  
Lucas's Hospital,  
in Wokingham.

LXXV. And

Allotments to  
Trustees for  
Poor of several  
Parishes.

LXXV. And be it further enacted, That the said Commissioners shall and they are hereby required to set out and allot unto the Churchwardens and Overseers of the Poor of the said Parish of *Sunninghill*, and their Successors, Churchwardens and Overseers of the Poor for the time being, for ever, a certain Piece or Parcel of Waste Land, lying and being within the said Parish called *Sunninghill Bog*, and containing by Admeasurement One hundred and twelve Acres; and unto the Churchwardens and Overseers of the Poor of the Town and Parish of *Wokingham* aforesaid, and their Successors, Churchwardens and Overseers of the Poor for the time being, for ever, such Parts of the Open and Waste Lands within the said Parish of *Wokingham* as shall contain in the whole Two Thirty second Parts thereof; and unto the Rectors, Vicars Churchwardens and Overseers of the Poor of the respective other Parishes and Liberties aforesaid, and their Successors, Rectors, Vicars, Churchwardens and Overseers of the Poor, for the time being, for ever, such Parts of the Open and Waste Lands in such of the said several and respective Parishes and Liberties where the same can be so conveniently set out and allotted as shall contain in the whole One Thirty second Part thereof in such Allotment and Proportions as the said Commissioners shall deem fair and reasonable, as and for and in lieu of the Right or Liberty of the Poor Inhabitants of the above mentioned Parishes and Liberties respectively, to cut, take and use Turves, Fern and other Fuel from the said Common and Waste Lands where such Right exists, and such Parts of the said Waste Lands as aforesaid shall in the Execution of the Award of the said Commissioners be invested in the Rectors, Vicars, Churchwardens and Overseers of the Poor of the said several and respective Parishes and Liberties aforesaid, and their Successors for the time being, for ever, as Trustees for the Poor of the same several Parishes and Liberties, and the Turves, Fern, and other Fuel arising from the Lands so to be allotted as aforesaid, shall be cut, taken and used by such Poor Inhabitants of the aforesaid several Parishes and Liberties respectively, as shall be legally settled therein, and shall not respectively occupy Houses, Lands or Tenements of more than the Yearly Value of Five Pounds, in such Quantities and at such time or times in each and every Year, under such Orders, Rules and Regulations, and in such manner as the said Trustees for the time being, or the major Part of them, shall from time to time direct or appoint; which said Portions of Waste Land so to be allotted in Trust for the Poor Inhabitants of the several Parishes and Liberties aforesaid (except as to *Sunninghill*) shall be taken, set out and allotted by the said Commissioners from such Part or Parts of the said Open and Waste Lands in the said several and respective Parishes and Liberties, as shall in their Judgment be the least prejudicial to the Proprietors of Messuages, Lands or Hereditaments therein respectively having Rights of Common or other Interests in, upon, from or out of the Open or Waste Lands in the several and respective Parishes aforesaid.

Trustees may  
make Regulations  
for Enjoyment of  
Poor Allotments.

LXXVI. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Trustees, or the major Part of them, to make such Rules, Orders and Regulations for the Enjoyment of the said Right as to them shall seem right and proper, and from time to time to alter, vary or repeal all such Rules,



Rules, Orders and Regulations; and all such Rules, Orders and Regulations shall be good, valid and effectual, provided that the same be not repugnant to the Laws of that Part of the United Kingdom called *England*, or inconsistent with the Provisions and Duties of this Act; and it shall and may be lawful to or for the Trustees or the major Part of them, to inflict such Penalties on any Person or Persons who shall infringe or break such Rules, Orders or Regulations, or any of them, by suspending such Person or Persons from the Use and Exercise of such Right and Enjoyment of Turbary from the said Proprietors of Common Land, for a time not exceeding Two Years; and in case any Person or Persons shall, after having been so suspended from the exercising of such Rights as aforesaid, enter upon the Premises, and use and exercise the same during the time that he, she or they shall be so suspended, restricted or prevented, that in any such case he, she or they shall be deemed a wilful Trespasser or Trespassers.

LXXVII. Provided always, and be it further enacted, That it shall be lawful for the Rectors or Vicars of the said Rectories or Vicarages, Churchwardens and Overseers of the Poor of the said several and respective Parishes and Liberties for the time being, to act in the Execution of the Trust hereby in them reposed by their Agents and Proxies respectively, such Agents or Proxies being appointed by Writing under the Hand or Hands of the Person or Persons for whom such Agent or Proxies shall act, and producing such his or their Appointment at the time of his or their acting by virtue thereof.

Trustees may  
act by Proxy.

LXXVIII. Provided also, and be it further enacted, That it shall and may be lawful to and for the several Rectors, Vicars, Churchwardens and Overseers of the Poor of the said several and respective Parishes and Liberties for the time being, Trustees as aforesaid (if they in their Discretion shall deem it expedient, and shall be more conducive to the Interests of the Poor of their said several and respective Parishes and Liberties), or the major Part of them, and they are hereby empowered, from time to time, in Writing under their Hands and Seals, to lease and demise the said several and respective Allotments to the Poor or so much thereof, and in such Part or Parts as they shall think proper, to any Person or Persons whomsoever, for any Term of Years not exceeding Seven Years, so as in every such Lease there be reserved and made payable to the said Trustees of the said several and respective Parishes and Liberties, so demising, or the major Part of them, by Two equal Half-yearly Payments in the Year, at the most improved yearly Rent or Rents that can be obtained for the Land thereby demised, without taking any Fine or Premium for granting such Lease or Leases; and that in all such Leases there be contained the usual Covenants and Stipulations as the said Trustees for the said respective Parishes and Liberties, or the major Part of them, shall think proper to be inserted therein; and the Rents and Profits arising from such Allotment or Allotments shall from time to time be laid out in the Purchase of Coals or other Fuel; and such Coals or other Fuel shall be sold and disposed of unto and amongst the industrious Poor Inhabitants of the said several and respective Parishes and Liberties, who shall occupy Lands or Tenements being less in Quantity than One Acre, at a Price not exceeding One Moiety of the Cost or original Price thereof, in such

Power for  
Trustees to grant  
Leases.

Proportions and Quantities, and at such times in the Year, and according to such Rules and Regulations, as the said Trustees for the said respective Parishes and Liberties for the time being, or the major Part of them, shall appoint and prescribe for that Purpose, and not otherwise; and all Sum and Sums of Money which shall be received by the said Trustees from such industrious Poor Inhabitants of the said respective Parishes and Liberties, upon the Sale or Sales of such Coals or other Fuel as aforesaid, shall be by them the said Trustees for the said respective Parishes and Liberties, or the major Part of them, from time to time again laid out and expended in the Purchase of other Coals or other Fuel; and they are hereby required to appropriate the same, and every Part thereof, for the Benefit of the said Poor Inhabitants exclusively, in the manner hereinbefore directed, so long as there shall be Monies remaining applicable for that Purpose.

Orders and Regulations for Purchase, Sale and Distribution of Coals or other Fuel, to be made at a Vestry Meeting.

LXXIX. Provided always, and be it further enacted, That no Rules, Orders or Regulations to be made or done by the said Rector, Vicar, Churchwardens and Overseers of the Poor and their Successors of the said several and respective Parishes and Liberties touching or respecting the Purchase, Sale and Distribution of the said Coals or other Fuel, in manner hereinbefore directed, shall be binding or conclusive, unless the same shall be made or done at some Meeting to be held in the Vestry Room belonging to the said several Parishes and Liberties respectively, of which 'Ten Days' previous Notice shall be given to the said Rectors and Vicars respectively, by the said Churchwardens and Overseers, and their Successors, or some or one of them, or left for each Rector or Vicar respectively at the Rectory or Vicarage House (except the said Rectory or Vicarage shall be then vacant); and that all such Rules, Orders and Regulations shall be decided by the Majority present at every such Meeting, at which the said Rector or Vicar, or their respective Deputies (whom he is hereby authorized to name) if present, shall constantly preside; and in case of an Equality of Voices upon any Question under Discussion at any such Meeting, the said Rector or Vicar, or his Deputy, if present, shall have the casting Voice.

Allotments of Residue of Commons and Wastes.

LXXX. And be it further enacted, That after setting out public Drains, and public and private Roads and Highways (and Gravel Pits where requisite and practicable for getting Materials for repairing the Roads and Highways) to be made over the said Open Fields and Commons and Waste Lands in the said several and respective Parishes and Liberties aforesaid, the said Commissioners for the said several Parishes and Liberties shall and they are hereby required to set out, allot and award unto and amongst the several Persons interested, the Residue of the said Commons and Waste Lands in all and every of the Parishes and Liberties aforesaid, in such Shares and Proportions as the said Commissioners respectively shall adjudge and determine in Proportion and according to and in full Compensation and Satisfaction for their respective Estates, Rights and Interests therein respectively, at the time of setting out and making the said Allotments respectively.

Allotments to Lords of Manors in Right of Soil, not to affect their Rights as Proprietors.

LXXXI. Provided always, and be it further enacted, That the several Allotments hereinbefore directed to be made to the several Lords of Manors as aforesaid, for and in lieu of their respective Rights to the Soil of the respective Commons and Waste Grounds in the

faid several Manors respectively, shall not in any manner affect or prejudice the respective Rights of the faid several Lords of Manors as aforesaid, to their severall and respective proportional Allotments as Proprietors of or as being interested in the faid Open Waste Ground and Common Lands so to be divided and inclosed, further than with respect to their severall and respective Rights to the soil of the severall and respective Commons and Wastes, for which Allotments are hereinbefore directed to be severally and respectively made.

LXXXII. Provided also, and be it further enacted, That no Person or Persons shall be entitled to have or claim any Allotment or Allotments of the Common and Waste Lands within the faid respective Parishes and Liberties in Right of any Encroachments that shall or may have been made upon any Part or Parts of the faid Commons or Waste Lands.

Persons not entitled to Allotments for Encroachments.

LXXXIII. Provided always, and be it further enacted, That the faid several Allotments hereby directed to be made of the Open and Common Fields, Commonable Lands and Waste Grounds within the faid several Parishes and Liberties respectively, to His Majesty and the Lords of Manors and Proprietors of Estates, and other Persons having Interest therein, by the faid Commissioners respectively for carrying this Act into Execution, shall be set out, allotted and awarded according to the Directions aforesaid, within the Space of Two Years next after such Allotments to His Majesty shall be set out and ascertained as aforesaid.

Allotments set out before a certain time.

LXXXIV. And be it further enacted, That the faid respective Commissioners for the faid Parishes and Liberties respectively, in making the faid Divisions and Allotments respectively as aforesaid, shall have a due Regard to the Quality and Situation as well as the Quantity of the Lands so to be divided and allotted as aforesaid, and also to the Conveniency of the Parties concerned, and shall set out the Part or Share of every Person respectively in one entire Plot or Parcel where the same can be conveniently done, and as near to each particular Person's Lands, Tenements or Hereditaments respectively, as conveniently may be, without Prejudice or Partiality to any of the Parties and Persons interested in the faid Division and Inclosure; but the Provision hereby made shall not authorize or empower the faid Commissioners to make any Alteration in the specific Allotments hereinbefore directed or authorized to be made to or for the Use of His Majesty, his Heirs or Successors, as aforesaid.

Quality and Situation of Allotments considered.

LXXXV. Provided always, and be it further enacted, That it shall be lawful for any Person or Persons entitled in Fee to any Right of Common upon any of the Commonable Lands or Waste Grounds hereby directed to be divided and allotted, to sell and dispose of his, her or their Right or Interest in any such Rights, separate and apart from the Property to which the same are appurtenant; and the faid Commissioners for the faid several Parishes and Liberties respectively shall award the Allotments to be made in lieu of such Rights so sold and disposed of, to the Purchasers thereof respectively, having received a Request in Writing so to do, signed by the Proprietors or Owners of such Right in the Presence of One or more credible Witnesses or Witnesses; any Law, Usage or Custom to the contrary notwithstanding.

Power to sell Common Rights.

LXXXVI. And be it further enacted, That all Lands and Hereditaments which shall be allowed by virtue of this or the faid recited

Allotments held under same Tenure as Pre-

uses in respect  
of which such  
Allotments  
were made.

recited Act to any Person or Persons, shall be held by such Person or Persons under the same Tenure, Rents, Customs and Services as the Messuages, Cottages, Lands and other Hereditaments, in respect of which such Allotments shall be respectively made or given, were respectively held under or enjoyed by such Person or Persons as aforesaid before the passing of this Act, or would have been held under and enjoyed by in case this Act had not passed; and the several Lands and Hereditaments which shall be allotted for any Freehold Messuages or Cottages, Lands or Hereditaments, shall be deemed Freehold, and shall be held of the Lord or Lords of the Fee thereof, under the same Rents or other Payments as the Freehold Messuages, Cottages, Lands and Hereditaments for which they were allotted, were before that time held under; and the several Lands and Hereditaments which shall be allotted for any Copyhold or Customary Messuages, Cottages, Lands or Hereditaments, shall in like manner be deemed Copyhold or Customary Lands and Hereditaments, and shall be held of the Lord or Lords of the Fee thereof, under the same Rents and by the same Customs and Services as the Copyhold or Customary Messuages, Cottages, Lands and Hereditaments, for which they were so allotted were or ought to have been held under, and shall pass by the like Surrenders and Admittances as the Copyhold or Customary Messuages, Cottages, Lands and Hereditaments, in respect whereof such Allotments shall be made, do now pass by; and that all and every Person and Persons to whom such Copyhold or Customary Lands and Hereditaments shall be allotted as aforesaid, may at any Court which shall be holden for the Manor or Manors whereof such Copyhold or Customary Lands and Hereditaments shall be respectively holden, after the Execution of the Award of the said Commissioners respectively, be admitted Tenant and Tenants to the same without paying any Fine or other Charge to the Lord or Lords, or to the Steward or Stewards of the said Manors (save and except for the Stamp Duties and Parchment requisite to be used for the Copies of such Admissions respectively, and the Customary Fees to the Stewards of the said Manors respectively); but in case the Person or Persons to whom such Copyhold or Customary Lands and Hereditaments shall be allotted, shall die without Admission thereto, then the Customary Fines and other Payments shall be due and payable on the Admission of the Person or Persons entitled to such Copyhold or Customary Lands and Hereditaments; and after every such first Admission as aforesaid, the Copyhold or Customary Lands and Hereditaments so to be allotted as aforesaid, shall at all times be held under and subject to the same Tenures, Fines and other Payments as the present Copyhold or Customary Messuages, Cottages, Lands and Hereditaments, in respect whereof such Lands and Hereditaments were allotted, are now held under and are subject to; any Law, Usage or Custom to the contrary notwithstanding.

Proprietors may  
purchase Trees  
upon their  
Allotments.

LXXXVII. And be it further enacted, That in case the several Persons entitled to Allotments of the Waste Lands within the said several and respective Parishes and Liberties as aforesaid, or either of them, shall be desirous of purchasing such Timber Trees and other Trees as shall be the Property of His Majesty, standing, growing and being in or upon any of their said Allotments, then and in every such case the Value of such Timber Trees and other

Trees

Trees shall be ascertained and settled by the Commissioner or Commissioners of the said Parishes respectively, and the Commissioner hereinbefore appointed for and on Behalf of His Majesty; and in case the said Commissioners shall not agree in their Opinion as to such Valuation, then it shall be lawful for the said Commissioners and they are hereby authorized and required to refer and submit the same to the Determination of some indifferent Person to be chosen by them, and the Determination of such Person so to be chosen and appointed by the said Commissioners, shall as to such Valuation be binding and conclusive, as well on the Part of His Majesty as of the Person or Persons purchasing or agreeing to purchase such Timber and other Trees as aforesaid; and the Purchase Money to be received for the same shall be paid to the Commissioners of His Majesty's Woods, Forests and Land Revenue, or to the Surveyor General of His Majesty's Woods and Forests, for the time being, to be applied in manner hereinbefore mentioned.

LXXXVIII. And be it further enacted, That the Lands and Grounds so to be allotted and awarded upon the said Division and Inclosure, to and for the several Parties concerned, and the several Messuages, Lands, Tenements, Old Inclosures, new Allotments, and other Hereditaments, which shall be exchanged by virtue or in pursuance of this Act or of the said recited Act, shall immediately after such Allotments and Exchanges are made, be, remain and enure, and the several Persons to whom the same shall be respectively allotted or given in Exchange as aforesaid, shall from thenceforth stand and be seised or possessed thereof to such and the same Uses, Estates, Trusts and Purposes, subject to such and the same Wills, Settlements, Limitations, Powers, Remainders, Leases (except Leases at Rack Rent), Charges, Tenures, Rents, Services and Incumbrances, as the several and respective Messuages, Lands, Tenements, Old Inclosures, New Allotments or Exchanges, which shall be respectively made or taken as aforesaid, are now held under or subject or liable to be charged with or affected by in case this Act had not been made.

Allotments to enure to same Uses. —

LXXXIX. Provided always, and be it enacted, That it shall and may be lawful to and for *William Lucas* Esquire, his Heirs and Assigns, and his and their Servants, Workmen and Artificers, from time to time, and at all times hereafter, to have free Ingress, Egress and Regress into, from and upon such of the Waste Lands to be divided and allotted within the said Parish of *Binfield*, through which the Water is conveyed from a Spring near the *Windfor Forest* Turnpike Road, to the Dwelling House of him the said *William Lucas*, and to dig, open and remove the Earth and Soil there, in such manner and as often as it shall be necessary for repairing or cleaning the Pipes by which such Water is conveyed through the same Lands, he and they doing as little Damage as may be thereby, in such and the like manner as if this Act had not been passed.

Proviso for Waterworks of *William Lucas* Esquire.

XC. And be it further enacted, That it shall be lawful to and for the said respective Commissioners of the several Parishes and Liberties as aforesaid, to set out, allot and award any Lands, Tenements and Hereditaments whatsoever, whereof any Person or Persons, Body or Bodies Politic or Corporate, is or are seised for any Estates of Freehold or Inheritance, within either of the said Parishes

Proviso for Exchanges and removing Disabilities.

Parishes or Liberties, in lieu of and in Exchange for any other Lands, Tenements and Hereditaments whatsoever within any such Parish, or within any adjoining Parish, Liberty, Hamlet or Township; provided that all such Exchanges be ascertained, specified and declared in the Award of the said respective Commissioners, and that all Exchanges in pursuance of this Act be made with the Consent of the Owner or Owners, Proprietor or Proprietors of the Lands, Tenements or Hereditaments which shall be so exchanged, whether such Owner or Owners, Proprietor or Proprietors, shall be a Body or Bodies Politic, Corporate or Collegiate, or a Tenant or Tenants in Fee Simple, or for Life, or in Fee Tail General or Special, or by the Courtesy of *England*, or with the Consent of the Guardians, Feoffees for Charitable and other Uses, Husbands, Committees or Attornies of or acting for any such Proprietors or Owners as aforesaid, who at the time of making any such Exchange or Exchanges shall be respectively Infants, Females Covert, Lunatics, or under any other legal Disability, or who shall be beyond the Seas, or otherwise disabled to act for themselves, himself or herself, such Consent to be certified in Writing under the Common Seal of the Body Politic, Corporate or Collegiate, and under the Hands of the other consenting Parties respectively; and all and every such Exchange or Exchanges so to be made shall be good, valid and effectual in the Law to all Intents and Purposes whatsoever: Provided always, that no Exchange shall be made of any Lands, Tenements or Hereditaments held in Right of any Church, Chapel or other Ecclesiastical Benefice, without the Consent of the Patron thereof, and the Bishop of the Diocese in which such Lands, Tenements or Hereditaments so to be exchanged shall lie and be situate, testified by Writing under their Hands: Provided always, that all Costs, Charges and Expences attending the making any Exchanges or Partitions shall be paid and borne by the several Persons making such Exchanges or Partitions, in such manner and in such Proportions as the said respective Commissioners shall by their respective Award order and direct.

Proviso.

Incumbents  
granting Leases.

XCI. And be it hereby further enacted, That it shall and may be lawful for all Rectors, Vicars or other Incumbents of all Ecclesiastical Benefices, with or without Cure of Souls, with the Consent of the Patron, Ordinary and Diocesan of such Benefice, in respect of any Allotments to be set out to them respectively in right of such Benefices, by Indenture or Indentures, to be by them respectively sealed and delivered in the Presence of and attested by Two or more respectable Witnesses, to grant One Lease or Demise of all or any Part or Parts of their said respective Allotments to any Person or Persons whomsoever, for any Term or Number of Years, not exceeding Fourteen Years from the Date of the Award to be made in pursuance of this Act, as hereinafter directed, so as no such Lease be made without Impeachment of Waste, by any express Words to be therein contained; and so as the Lessee or Lessees in every such Lease shall and do at his or their own Costs and Charges make, keep up, support and maintain the Rig and Subdivision Fences belonging to the same Allotments respectively, and every of them, during his or their Term therein; and so as the Mode of Cultivation and Management of the Land be laid down and prescribed in every such Lease, according to the best and most

approved

approved Methods of Husbandry, in the Parish and Neighbourhood where such Lands lie; and so as sufficient Penalties be imposed on the Lessees in case of Breach or Non-performance of any Covenants or Stipulations to be contained in such Leases; and so as the best and most improved yearly Rent or Rents, according to the Judgment of the said Commissioner or Commissioners, be reserved and made payable thereon, without any Fine or Premium being taken by the Party granting such Lease, or by any other Person or Persons whomsoever for making or granting the same; and so as the usual Powers of Re-entry for Non-payment of Rent be inserted therein; and so as such Lessee or Lessees do seal, execute and deliver a Counterpart of every such Lease.

XCII. And be it further enacted, That all the Allotments to be made of the said Commonable Lands and Waste Grounds by virtue of this Act (exclusive of the Allotments to be made to His Majesty as aforesaid), in respect of any Lands or Tenements held by Lease or Leases at Rack Rent or for which Leases no Fines are therein expressed to have been paid to the Grantors or Lessors, as the Consideration for the same, shall be allotted to and held by the several Owners and Proprietors of such Lands and Tenements, freed and discharged from all Right or Claim of such respective Lessees to, in or upon the said Allotments, or any Part thereof, to be derived under or by virtue of such Leases; and in case any of such Lessees shall think himself, herself or themselves aggrieved thereby, and such Lessors and Lessees shall not settle the same to their mutual Satisfaction, then in every such case it shall and may be lawful to and for the said Commissioners for the said respective Parishes and Liberties in which the same shall happen, on Application to him or them made by either Party, to take the Matters in question into their or his Consideration, and by his or their Order to make every such Lessee, for his, her and their Loss of Commonage, or other Losses by means of the said Division, such a fair and adequate Allowance and Compensation, either in Money to be paid down, or by way of Abatement or Reduction in the Rent by such Leases reserved, as the said Commissioner or Commissioners shall think just and equitable.

Leases at Rack  
Rent vacated as  
to Commons.

XCIII. And be it further enacted, That, from and after the passing of this Act, until such Division and Allotment shall be made as aforesaid, all the Tillage and other Lands lying in the said Open and Common Fields of the said several and respective Parishes and Liberties aforesaid, by this Act directed to be divided and allotted, shall be cropped or sown by the Proprietors or Occupiers thereof, in such Proportions and Manner, and shall be stocked with such Cattle or Sheep, and kept, ordered and continued in such Course of Husbandry, as the said Commissioners for the said several and respective Parishes and Liberties shall, by Writing under their respective Hands in that Behalf, from time to time order, direct or appoint, if they or either of them shall think proper to give any Order or Direction concerning the same; and that no Meadow, Pasture or Greenward Ground, being Part of the Lands and Grounds by this Act directed to be divided, allotted and inclosed, shall before the making of such Division and Allotment be ploughed, broken up or converted into Tillage; and that it shall be lawful for the said Commissioners for the said several and respective Parishes and Liberties, at

Proviso for  
Course of  
Husbandry.

any time before the making of the said Allotments, in case they or either or any of them shall judge it beneficial to the Proprietors, by a Notice or Notices in Writing under their respective Hands, to be affixed on the principal Outer Door of the several Churches of the respective Parishes aforesaid, to suspend or extinguish all or any of the Rights of Common in or upon all or any Part or Parts of the Lands or Grounds by this Act directed to be divided, allotted and inclosed; and such Rights of Common shall be suspended, or shall cease and be for ever extinguished, according to such Notice or Notices.

Compensation  
for growing  
Crops.

XCIV. And be it further enacted, That the respective Commissioners for the said Parishes and Liberties respectively shall and may, by some Writing or Writings under their respective Hands, ascertain, order and appoint what Recompence and Satisfaction in Money shall be paid to the Owner or Owners of any Crops growing on any Part of the said Open and Common Fields at the time of making the said intended Division and Allotment, for the said Crops, by the Person or Persons to whom the Lands on which such Crops are growing shall be allotted, unless such Owner or Owners shall within the time to be appointed, by Writing under the Hands of the said respective Commissioners for that Purpose, declare his, her or their Intention to reap and take away the same, and shall have Permission from the said Commissioners respectively so to do; and in case of Non-payment of such Recompence and Satisfaction in Money for such Crops, at the time and in the manner to be appointed by the said respective Commissioners for that Purpose, or in case of such Election to reap and take away the same, then it shall be lawful for such Owner of such Crops, and his, her or their Servants, Workmen or Agents, to enter into and upon the Lands and Grounds whereon such Crops shall be growing, and to cut, reap and carry away the same, and to dispose thereof to his, her and their own Use; and also that the said respective Commissioners shall, by some Writing or Writings under their respective Hands, ascertain, order and appoint what Recompence and Satisfaction shall be paid, and to whom, for the Standage of Crops, by such Owner or Owners electing and having Permission from the said Commissioners respectively to take away the same as aforesaid, and also what Satisfaction in Money shall be paid, and by whom, to any Tenant or Tenants, Occupier or Occupiers of Land, within the said several Parishes aforesaid, as well for ploughing, tilling and manuring of any Lands or Grounds, which shall be allotted to some other Person or Persons for the Profit and Advantage which any Person or Persons to whom the said Grounds shall be allotted will obtain thereby, as for any Loss or Damage which any such Tenant or Tenants, Occupier or Occupiers, shall or may sustain by means of the said Division and Inclosure; and if in either or any of the said cases last mentioned, such Recompence and Satisfaction shall not be made, at the time and in manner to be appointed by the said Commissioners respectively, then the said Commissioners shall and may, by any Warrant or Warrants under their respective Hands and Seals, directed to any Person or Persons whomsoever (and which Warrant or Warrants they or either or any of them are and is hereby authorized and empowered to grant accordingly), cause the same to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons required to make such Satisfaction

Distress



and Recompence as aforesaid, together with the Coſts and Charges of ſuch Diſtreſs and Sale; rendering the Overplus (if any) to the Owner or Owners of ſuch Goods and Chattels.

XCV. Provided alſo, and be it further enacted, That no Sheep or Cattle ſhall be depaſtured on any of the Allotments to be made by virtue of this Act, for the Space of Seven Years from the making of the ſaid Allotments, unleſs the Perſon or Perſons ſo depaſturing the ſame ſhall have well and effectually fenced and guarded the Quick planted upon the adjoining Land of any other Proprietor or Proprietors as a Diſtinction Fence, from the Land of the Perſon or Perſons ſo depaſturing with Sheep or Cattle as aforesaid.

Sheep not to be depaſtured on Allotments, unleſs fenced.

XCVI. And be it further enacted, That the Coſts and Charges of and incident to the ſurveying, meaſuring, planning, dividing, valuing and allotting the ſaid laſt mentioned Open and Common Fields and Commonable Land and Waſte Ground ſo intended to be divided, allotted and incloſed, and of making the Public Roads, Drains, Watercourſes and Bridges, to be ſet out by virtue of this Act and the ſaid recited Act, and of preparing and enrolling the ſeveral Awards, and the Allowances to the ſeveral Commiſſioners, Umpires and Clerks, and to the ſeveral Perſons to be employed by them either before or after the Execution of the ſaid reſpective Awards, in or about or concerning the Execution of this Act and the ſaid recited Act, and not hereby otherwiſe provided for, ſhall from time to time be borne, paid and defrayed by and at the Expence of all the ſaid Proprietors and Owners or other Perſons intereſted, according to the Benefits derived under this Act, in ſuch Shares and Proportions, at ſuch time or times, and to ſuch Perſon or Perſons, as the ſaid ſeveral and reſpective Commiſſioners ſhall, by Writing under their Hands, to be affixed on the principal Outer Door of the ſeveral and reſpective Pariſh Churches, at leaſt Ten Days before the time of ſuch Payment, order and direct.

Expences of Allotments to Proprietors how defrayed.

XCVII. And be it further enacted, That the ſaid Commiſſioners reſpectively ſhall and they are hereby authorized to ſet out ſuch Piece or Pieces, Parcel or Parcels, and Quantity of the Waſte Grounds within ſuch of the ſaid ſeveral and reſpective Pariſhes hereinbefore named (when the major Part in value of the Proprietors in ſuch ſeveral and reſpective Pariſhes, to be aſcertained by the Land Tax Aſſeſſment, ſhall require them ſo to do) as they ſhall think proper, for raiſing Money by Sale thereof, in manner directed by the ſaid recited Act, to defray the Expences of carrying this Act, ſo far as relates to the ſeveral Allotments to be made to the ſeveral Proprietors of Eſtates in the reſpective Pariſhes aforesaid into Execution; and in caſe any Surplus ſhall remain, after all ſuch Charges and Expences ſhall have been fully paid and ſatisfied, the ſame ſhall be divided and diſtributed amongſt the ſeveral Proprietors, according to their ſeveral and reſpective Interests therein: and the Shares of ſuch of them as ſhall be Tenants in Fee Simple ſhall be paid to them reſpectively; and the Shares of ſuch other Proprietors of and in ſuch Surplus Money, ſhall be applied and diſpoſed of in manner directed by the ſaid recited Act in thoſe caſes where any Money is to be paid for the Purchase or Exchange of any Lands, Tenements or Hereditaments, or of any Timber or Wood growing thereon; and which Money ought to be laid out in the Purchase of other Lands, Tenements or Hereditaments, to be ſettled to the ſame Uſes; and that the ſame Commiſſioners ſhall and they are hereby authorized and directed to ſell

Such Expences defrayed by Sales of certain Portions of Waſte Grounds, if required.

sell such Piece or Pieces, Parcel or Parcels, and Quantity of the Waste Grounds so by them set out as aforesaid, at the Time and Place appointed by them for that Purpose; and the Person or Persons who shall then and there offer the largest Sum of Money for such Land, or any Piece or Parcel thereof respectively, shall be the Purchaser or Purchasers thereof, he, she or they immediately paying One fifth Part of his, her or their Purchase Money, as and for a Deposit, and paying the Residue of such Purchase Money, within Two Calendar Months afterwards, into the Hands of the Commissioner for each respective Parish as aforesaid, or of such Person as they shall appoint, whose Receipt shall sufficiently discharge such Purchaser or Purchasers from any Concern in or Necessity of seeing to the Application thereof; and the said Commissioner shall thereupon, at the Costs and Charges of such Purchaser or respective Purchasers, convey the said Lands so sold as aforesaid, unto and to the Use of, or in Trust for, such Purchaser or respective Purchasers, and his, her or their respective Heirs and Assigns, or otherwise, as such Purchaser or respective Purchasers shall direct; and the Land so to be sold and conveyed as aforesaid shall thenceforth be held and enjoyed as Freehold Land, freed and discharged from all Charges and Incumbrances whatsoever; and the said Commissioners shall, by their said Award, assign and allot the same Land accordingly; but in case such Purchaser or respective Purchasers shall refuse or neglect to pay the Residue of his, her or their Purchase Money, within the time herein for that Purpose appointed for the Payment thereof, then the Money so to be deposited as aforesaid, shall be forfeited, and applied towards defraying the Costs, Charges and Expences of executing this Act, so far as relates to the several Allotments to be made to the several Proprietors of Estates in the respective Parishes aforesaid; and the Land for the Purchase whereof such Money was deposited, or for which no Money was offered at the Time and Place aforesaid, shall again be offered to Sale, and sold in manner aforesaid, and so *toties quoties*, until the same shall be sold and conveyed, and the whole Purchase Money for the same shall be paid to the said Commissioner in manner and for the Purposes aforesaid: Provided always, that whenever any such Determination for Sale shall have been made as aforesaid, it shall and may be lawful to and for any Body or Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, or any other Person or Persons interested in such Division and Allotment, to give Notice in Writing to the Commissioner or Commissioners of his, her or their Will and Intention to contribute his or their Proportion of such Expences in Money; and then in that case, the said Commissioners shall proceed to award such Proportion, and to set out and allot his, her or their Proportion and Share of the said Wastes and Commons, without making any Deduction in respect of such Expences.

XCVIII. And be it further enacted, That in case any Body or Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, or any of the Owners or Proprietors of or Persons interested in any Messuages, Lands, Tenements or Hereditaments, entitled to share in the Lands to be inclosed by virtue of this Act, who by virtue of this or the said recited Act shall have Power to raise Money on Mortgage for paying and defraying their respective Proportions of the Charges and Expences incident to or attending the carrying the Inclosure hereby intended into Execution, shall instead of exercising such Power

Incapacitated  
Persons allowed  
to sell for Ex-  
pences.

Power of borrowing Money as aforesaid, be desirous of having Land deducted or taken from their respective Allotments, equivalent to the Amount in Money with which they are by this Act or the said recited Act enabled to charge their respective Allotments, and shall by themselves or Agents signify the same in Writing to the Commissioner or Commissioners acting under this Act; then and in every such case it shall be lawful for such Commissioner or Commissioners to deduct from the respective Allotments to be made to such Body or Bodies Politic, Corporate or Collegiate, Corporation Aggregate or Sole, or to such other Owners or Proprietors, or Persons as aforesaid respectively, so much Land as shall in the Judgment of such Commissioner or Commissioners be equal in Value to such Sum or Sums of Money as such respective Owners or Proprietors or Persons shall be warranted or empowered by virtue of this Act or the said recited Act, to raise or charge for the Purposes aforesaid, and to allot and award the same to such Person or Persons who shall give for the same such Sum or Sums of Money as aforesaid; and the same shall be thenceforth held by such Person or Persons as his, her or their Freehold of Inheritance in Fee Simple discharged of all Commonable Rights and other Rights for which Compensation shall have been provided and made upon or under such Division or Inclosure: Provided always, that in all cases where any Land shall be deducted from the Allotment of any of the said Proprietors or Persons towards Payment of Expences as aforesaid, it shall not be lawful for the said Commissioners to deduct from any Allotment to be made to any Proprietor or Proprietors, any further or greater Quantity of Land than would be equal in value to the Sum of Money that such Proprietor or Proprietors is or are by this or the said recited Act empowered to borrow and charge on his, her or their Lands, Tenements or Hereditaments; nor shall it be lawful for the Proprietor or Person from whose Allotment Land shall be deducted as aforesaid, to charge his, her or their Lands, Tenements or Hereditaments by virtue of the said recited Act or this Act, with any Money towards Payment of such Expences.

*Provido.*

XCIX. Provided always, and be it enacted, That in case the Money to be produced by such Sale or Sales, where the same shall take place, shall not be sufficient to defray all such Costs, Charges and Expences as aforesaid, then and in such case the Deficiency shall be borne, defrayed and paid by the respective Persons, Body or Bodies Politic, Corporate or Collegiate, to whom the said Lands and Grounds shall be allotted by virtue of this Act, in Proportion to the Value of their respective Allotments, such Proportion to be settled and ascertained by the said Commissioner or Commissioners appointed for the said Parishes respectively; and such Proportions, when so settled and ascertained, shall be paid to such Person or Persons, and at such time or times, as they shall order and direct; and in case any Person or Persons, Body or Bodies Politic, Corporate or Collegiate, shall refuse or neglect to pay his, her or their Share or Proportion of the said Deficiency, then and in such case the said Commissioner or Commissioners shall and they are hereby empowered and required, by Warrant under their Hands and Seals, to cause the same to be levied by Distress and Sale of the Goods and Chattels of the Owner or Owners, or the Occupier or Occupiers of the Allotment or Allotments so refusing or neglecting such Payment

*In case Money raised by Sales not sufficient, Deficiency paid by Proprietors.*

*Distress.*

ment as aforesaid, together with the Coſts and Charges of ſuch Warrant, Diſtreſs and Sale, rendering the Overplus (if any) to the Owner or Owners of ſuch Goods and Chattels upon Demand; and every Occupier or Tenant who ſhall make ſuch Payments under ſuch Diſtreſs or otherwiſe, by Order of the ſaid Commiſſioner or Commiſſioners, is hereby authorized to deduct and retain out of his, her and their next Payment of Rents, ſo much Money as he, ſhe or they ſhall ſo pay on that Account.

Perſons advancing Money, repaid with Intereſt.

C. And be it further enacted, That if any of the ſaid Proprietors of the ſaid Common Fields and Premises in any of the ſaid ſeveral Pariſhes and Liberties, or any other Perſon or Perſons on their Behalf, ſhall advance any Sum or Sums of Money for the Purpoſe of defraying the Expences of carrying this Act into Execution, ſuch Proprietors or Perſons ſhall be repaid the ſame, with Intereſt, at the Rate of Five Pounds *per Centum per Annum*, by the ſaid reſpective Commiſſioners of the ſaid ſeveral Pariſhes and Liberties, out of the Monies which ſhall be firſt raiſed by them, to defray the Charges and Expences of putting this Act into Execution.

Commiſſioners to lay Accounts before Juſtices.

CI. And be it further enacted, That once at leaſt in each and every Year during the Execution of this Act (ſuch Year to be computed from the Day of paſſing thereof) the reſpective Commiſſioners for the ſaid ſeveral Pariſhes and Liberties aforesaid, ſhall and they are hereby required to make a true and juſt Statement and Account of all Sums of Money by them reſpectively received and expended, or due to them for their own Trouble or Expences in the Execution of this Act; and ſuch Statement or Account when ſo made, together with the Vouchers relating thereto, ſhall be by them reſpectively laid before Two or more Juſtices of the Peace for the ſaid County of *Berks*, reſiding in the Neighbourhood, but not intereſted in the ſaid intended Division and Incloſure in the ſaid reſpective Pariſhes, to be by them examined and balanced, and ſuch Balance ſhall be, by ſuch Juſtices ſtated in the reſpective Book or Books of Accounts, to be kept in the Offices of the reſpective Clerks to the ſaid Commiſſioners.

Commiſſioners to make Awards.

CII. And be it further enacted, That the ſaid reſpective Commiſſioners for the ſeveral Pariſhes and Liberties aforesaid ſhall and they are hereby authorized and required to make their ſeveral and reſpective Awards in Writing for each of the ſaid Pariſhes and Liberties of and concerning the ſeveral Matters and Things directed to be done by them reſpectively in each of the ſaid Pariſhes and Liberties in purſuance of this Act, in ſuch manner, and to cauſe the ſame to be enrolled within ſuch time, and at ſuch Place, as is ſet forth and directed by the ſaid recited Act of the Forty firſt Year of His preſent Majeſty; and alſo to cauſe the Copy of ſuch Award for each of the ſaid reſpective Pariſhes and Liberties after the ſame ſhall have been duly enrolled, to be fairly written on Parchment; which Copy ſhall be depoſited and kept in the Church Cheſt in each of the Churches of the ſaid reſpective Pariſhes, for the Uſe of the Proprietors of Lands and Tenements and Perſons intereſted in the ſaid intended Division and Incloſure within the ſaid reſpective Pariſhes, to be referred to and inſpected by them reſpectively from time to time, as Occaſion may require.

41 G. 3. (U.K.) c. 109.

Appeal.

CIII. And be it further enacted, That if any Perſon or Perſons ſhall think himſelf, herſelf or themſelves aggrieved by any thing done in

in pursuance of this or the said recited Act, then and in such case (except where the Orders and Determinations of the said Commissioners are by this Act or the said recited Act directed to be final or conclusive, and except in such cases where an Issue at Law may be tried as hereinbefore mentioned) he, she or they may appeal to the General Quarter Sessions of the Peace which shall be held for the said County of *Berks*, within Six Calendar Months next after the Cause of Complaint shall have arisen, on giving to the Commissioner or Commissioners whose Determination shall be appealed against, and to the Party or Parties concerned, Ten Days' Notice of such Appeal, and of the Matter thereof; and the Justices in their said Sessions (not interested in the Premises) are hereby required to hear and determine the Matter of every such Complaint, and to make such Order therein, and to award such Costs as they may think reasonable, and to direct the levying the Costs that shall be so awarded by Distress and Sale of the Goods and Chattels of the Party or Parties liable to pay the same, rendering the Overplus (if any) to the Owner or Owners, after deducting the reasonable Charges of such Distress and Sale; which Determination of the Justices shall be final and conclusive to all Parties concerned, and shall not be removed by *Certiorari*, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, or elsewhere; but in case such Appeal shall appear to the said Justices to be frivolous, vexatious and without Foundation, then the said Justices shall award such Costs to be paid by the Appellant or Appellants, as to them in their Discretion shall seem reasonable, and to be levied in manner aforesaid.

Notice.

Distress.

Certiorari.

CIV. And be it further enacted, That nothing herein contained shall prejudice, lessen or defeat the Right, Title or Interest of any Person or Persons who are or shall respectively for the time being be Lord or Lords, Lady or Ladies of the several and respective Manors hereinbefore mentioned, or of, in or to any of the Seigniories, Rights of Free Warren and Free Chase, and all other Royalties, Franchises, Liberties, Privileges, Rights and Services whatsoever, incident and belonging to such Manors or Lordships, or any of them; but that such Lord or Lords, Lady or Ladies for the time being, shall and may at all times hereafter hold and enjoy the same, and have, hold, receive, take, exercise and enjoy all Courts, Perquisites and Profits and Rights of Courts, and all Seigniories, Rights of Free Warren and Free Chase, and all other Rights, Royalties, Services, Franchises, Liberties, Privileges and Appurtenances whatsoever to such Manors or Lordships respectively incident or belonging or appertaining (other than those which are expressly varied, barred and destroyed by this Act, and other than and except so far as respects any of the Lands hereby allotted or to be allotted or conveyed in Exchange to His Majesty, his Heirs or Successors) by virtue thereof, in as full, ample, extensive and beneficial a manner as they respectively could or might have held, exercised or enjoyed the same, in case this Act had not been made.

Proviso for Manorial Rights.

CV. Saving always to the King's Most Excellent Majesty, his Heirs and Successors, and to all and every Person and Persons, Bodies Politic and Corporate, his, her and their respective Heirs, Successors, Executors and Administrators (other than and except the Rights and Interests hereby expressly varied, barred, destroyed or extinguished),

General Saving.

tinguished), all such Estate, Right, Title, Interest and Benefit, as they, every or any of them had or enjoyed in, to or out of the said Commons and Waste Lands so directed to be divided, allotted and inclosed as aforesaid, before the passing of this Act, or could or might have held and enjoyed in case this Act had not been made.

### C A P. CLIX.

An Act to limit the Responsibility of Ship Owners, in certain Cafes. [21st July 1813.]

‘ **W**HEREAS it is of the utmost Consequence and Importance to promote the Increase of the Number of Ships and Vessels belonging to the United Kingdom, registered according to Law, and to prevent any Discouragement to Merchants and others from being interested therein: And whereas it is expedient to amend an Act made in the Seventh Year of the Reign of His late Majesty King George the Second, intituled *An Act to settle how far Owners of Ships shall be answerable for the Acts of the Masters or Mariners*; and also another Act made in the Twenty sixth Year of the Reign of His present Majesty, intituled *An Act to explain and amend an Act made in the Seventh Year of His late Majesty's Reign, intituled An Act to settle how far Owners of Ships shall be answerable for the Acts of Masters or Mariners, and for giving a further Relief to the Owners of Ships*; and that other Provisions should be made in respect thereof; Be it therefore enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no Person or Persons who is, are or shall be Owner or Owners, or Part Owner or Owners of any Ship or Vessel, shall be subject or liable to answer for or make good any Loss or Damage arising or taking Place by reason of any Act, Neglect, Matter or Thing done, omitted or occasioned, without the Fault or Privity of such Owner or Owners, which may happen to any Goods, Wares, Merchandize or other Things laden or put on board the same Ship or Vessel, after the First Day of September One thousand eight hundred and thirteen, or which after the said First Day of September One thousand eight hundred and thirteen may happen to any other Ship or Vessel, or to any Goods, Wares, Merchandize or other Things, being in or on board of any other Ship or Vessel, further than the Value of his or their Ship or Vessel, and the Freight due or to grow due for and during the Voyage which may be in Prosecution or contracted for at the time of the happening of such Loss or Damage.

II. And be it further enacted, That the Value of the Carriage of any Goods, Wares or Merchandize, belonging to the Owner or any of the Owners of such Ship or Vessel, and also the Hire due or to grow due under or by virtue of any Contract whether made by or on the Behalf of His Majesty, or by or on the Behalf of any other Person or Persons, or any Body Politic or Corporate whatsoever, except only such Hire as in the case of a Ship or Vessel hired for time, may not begin to be earned until the Expiration of Six Calendar Months after the happening of such Loss or Damage, shall be deemed and taken to be, and shall be considered as Freight, within the Intent and Meaning and for the Purposes of this Act, and also of the said Acts

7 G. 2. c. 15.

16 G. 3. c. 86.

Owners of Ships not liable to make good Damage occasioned without their Fault, further than Value of Vessels, &c.

Value of Carriage of Goods, &c. considered as Freight.

Acts of Parliament made in the Seventh Year of the Reign of His late Majesty King *George* the Second, and in the Twenty sixth Year of the Reign of His present Majesty.

III. And be it further enacted, That in case any such Loss or Damage shall arise or happen by more than one separate and distinct Accident, Act, Neglect or Default, or on more than one Occasion in the Course or Progress of a Voyage, or after the End of any Voyage, and before the Commencement of another Voyage, each and every such Loss or Damage shall be paid, compensated and satisfied according to the Provisions of this Act, in such and the same way, and to the same Extent, as if no other Loss or Damage had happened or arisen during the same Voyage, or after the End of any Voyage and before the Commencement of another Voyage.

Proviso for separate Losses.

IV. Provided always, and be it further enacted, That nothing herein contained shall lessen or take away any Responsibility to which any Master or Mariner of any Ship or Vessel may now by Law be liable, notwithstanding such Master or Mariner may be an Owner or Part Owner of his Ship or Vessel.

Responsibility of Master and Mariners.

V. Provided also, and be it further enacted, That nothing herein contained shall extend or be construed to extend to the Owner or Owners of any Lighter, Barge, Boat or Vessel, of any Burthen or Description whatsoever, used solely in Rivers or Inland Navigation, or any Ship or Vessel not duly registered according to Law.

Owners of Lighters, &c.

VI. Provided also, and be it further enacted, That nothing in this Act contained shall extend to prevent any Action or Suit being brought or instituted, or proceeded in, in any Court of competent Jurisdiction, by any Person or Persons who shall have suffered any Loss or Damage within the Intent and Meaning of this Act against any Owner or Part Owner of any Ship or Vessel, notwithstanding any other Person or Persons may have suffered any Loss or Damage by the same Accident, Act, Neglect or Default, or on the same Occasion; but that all such Actions and Suits shall and may be brought or instituted, and proceeded in, in such manner as the same might have been brought or instituted, or been proceeded in, if this Act had not been made; subject nevertheless to such Order as any Court may think fit to make, to restrain Proceedings in such Action or Suit, on special circumstances, as Justice and Equity shall require.

Actions may be brought for Damage by Persons suffering Loss though others have sustained Loss by same Accident.

VII. And be it further enacted, That if several Persons shall suffer any Loss or Damage in or to their Goods, Wares, Merchandizes, Ships or otherwise, by any means for which the Responsibility of any Owner or Owners is limited by this Act as aforesaid, and the Value of the Ship or Vessel, with all her Appurtenances, and the Amount of the Freight estimated as herein is mentioned, shall not be sufficient to make full Compensation to all and every the Person and Persons suffering such Loss and Damages, it shall and may be lawful to and for the Person or Persons liable to make Satisfaction for such Loss or Damage, or any One or more of them, on Behalf of himself, herself or themselves, and the other Owner or Owners of the same Ship or Vessel, to exhibit a Bill in any Court of Equity having competent Jurisdiction, against all the Persons who shall have brought any such Action or Actions, Suit or Suits as aforesaid, and all other Persons who shall claim to be entitled to any Recompence for any Loss or Damage arising or happening by the same separate and distinct Accident, Act, Neglect or Default, or on the same Occasion, to ascertain the

Proceedings in case Value of Ship, &c. not sufficient to make Compensation for Damages.

Bill in Equity.

the Amount of the Value of the Ship or Vessel, Appurtenances and Freight, and for Payment or Distribution thereof rateably amongst the several Persons claiming Recompence as aforesaid, in Proportion to the Amount of the several Losses or Damages sustained by such Persons so claiming such Recompence as aforesaid, according to the Rules of Equity, and as the case may require : Provided always, that the Plaintiff or Plaintiffs in such Bill shall annex to such Bill an Affidavit that he, she or they do not directly or indirectly collude with any of the Defendants thereto, or with any other Owner or Owners of the same Ship or Vessel, or with any other Person or Persons, but that such Bill is filed for the Purposes only of Justice, and to obtain the Benefit of the Provisions of this Act ; and that the several Persons named as Defendants to the said Bill, are, as the Person or Persons making such Affidavit verily believes, all the Persons claiming to be entitled to Recompence for Loss or Damage sustained by the same Accident, Act, Neglect or Default, or on the same Occasion ; and that all such Defendants do claim such Recompence, and to be entitled to Proportions of the Value of such Ship or Vessel, Appurtenances and Freight ; and that no other Person claims to be entitled to any Proportion thereof under the Provisions of this Act, and that the Amount of the Value of such Ship or Vessel, Appurtenances and Freight, does not exceed a Sum to be specified in such Affidavit, and that the several Claims made by the Defendants to such Bill, do exceed the Amount of the Value of such Ship or Vessel, Appurtenances and Freight ; and the Plaintiff or Plaintiffs in such Bill shall, on filing such Bill, apply to the Court and obtain an Order for Liberty to pay into Court the Account † of the Value of such Ship or Vessel, Appurtenances and Freight, as ascertained by such Affidavit, and shall pay the same into Court according to such Order ; and no Defendant or Defendants to such Bill shall be compellable to put in any Answer thereto until such Value shall have been paid into Court as aforesaid, unless the Court shall for any special Cause think fit to order Security to be given for the same, in such manner as the said Court shall think fit, either instead of Payment thereof into Court as aforesaid, or until such Court shall make other Order to the contrary ; and unless such Money shall be paid into Court as aforesaid, or the said Court shall make such Order for Security as aforesaid, and such Security shall be given according to the said Order within One Month after such Bill shall have been filed, such Bill shall immediately after the Expiration of such Month stand dismissed without any Motion for that Purpose ; and the Court shall thereupon order the Payment of the Costs of the said Suit to all the Defendants who shall then have appeared to such Bill ; and in case such Security shall be given as aforesaid, and such Value shall afterwards be ordered to be paid into Court, and the same shall not be so paid within the time to be limited by the Court, such Bill shall also stand dismissed without Motion for that Purpose, and the said Court shall also order Costs to be paid to the Defendants as aforesaid ; and in case any such Bill shall at any time be dismissed after any such Value shall have been paid into Court, or such Security given as aforesaid, such Court shall direct the Money so paid into Court, if any, to be paid to the several Claimants, Defendants to such Bill, who shall appear to the Court to be entitled to Proportions thereof, in such manner as to such Court shall appear to be just, and shall order any Security so to be given as aforesaid to be put in Suit, and

Affidavit annexed to Bill.

Defendants entitled in Proportions of Value of Ship, &c.

† *Sic.*

Money paid into Court for Security.

Bill dismissed, Proceedings.



and the Money to be recovered thereupon to be paid into Court and distributed in like manner; and such Payments shall be without Prejudice to any Action or Suit which may be brought or instituted by any other Person or Persons, not Party or Parties to such Bill, for any such Loss or Damage as aforesaid, although such Loss or Damage shall have arisen or happened by the same Accident, Act, Neglect or Default, or on the same Occasion as the Losses or Damages for which Recompence shall be claimed by the Parties Defendants to such Bill, and all such Payments as shall be made under the Order of the said Court shall be without Prejudice to the Recovery of the Costs in any Action or Suit which shall have been brought by any such Defendant or Defendants, unless such Costs shall be otherwise provided for by the said Court.

Payments with  
out Prejudice,  
Action, &c.

VIII. Provided always, and be it further enacted, That if it shall appear to the Court in which any such Bill shall be filed as aforesaid, that the Money paid into Court, or for which such Security shall be given as aforesaid, is not the true Amount of the Value of such Ship or Vessel, Appurtenances and Freight, the said Court shall order such further Sum of Money to be paid into Court, or such further Security to be given as to the said Court shall seem proper; and the said Court shall also at any time if the said Court shall see fit, order Security to be given for the Costs of such Suit as to the said Court shall seem necessary and just; and if such further Sum of Money shall not be paid, or such further or other Security shall not be given as aforesaid within the time to be limited by the said Court for that Purpose; such Bill shall stand dismissed without any Order for that Purpose: and the said Court shall thereupon order the Payment of the Costs of such Suit to the several Defendants by the Plaintiffs, and give the proper Directions for the Application of any Money paid into Court, or due on any Security given in such Suit to answer the Demands of the several Defendants in such Suit, as to such Court shall appear to be just.

If true Amount  
of Value of  
Vessel, &c. not  
paid, Court shall  
require further  
Payment, &c.

IX. And be it further enacted, That if after any such Suit shall have been instituted the same shall become abated or imperfect in the Whole or in Part, and the same shall not be revived or made perfect within the time to be limited by the Court for that Purpose, such Suit and all Proceedings therein shall stand dismissed without any Motion for that Purpose; and the said Court shall order the Costs of such Suit to be paid to the Defendants thereto, or to the Representatives of any who shall be then dead; and if the Plaintiff or Plaintiffs in any such Suit, or any of them, shall be then dead, such Costs as shall not be otherwise paid shall be a Charge on the Assets of such deceased Plaintiff or Plaintiffs, and shall be recoverable as a Debt by Simple Contract.

In Abatement of  
Suits how Costs  
paid.

X. And be it further enacted, That the Court in which any such Bill shall be filed as aforesaid, shall be and is hereby authorized and empowered to take all such Measures as to such Court shall seem just for ascertaining the Value of the Ship or Vessel, Appurtenances and Freight, the Amount of the Losses or Damages claimed by the Defendants thereto respectively, and all such Matters and Things as shall be necessary for the Purposes of Justice in such Suit, and for Payment and Distribution of the Value of such Ship or Vessel, Appurtenances and Freight, amongst the several Persons entitled thereto, and generally to do therein as shall appear to be just; and the Costs of all

Court to take  
Measures for  
ascertaining  
Value of Vessels,  
&c.

all such Proceedings shall be paid by the Plaintiff or Plaintiffs in such Suit, unless such Court shall think fit otherwise to order.

Costs taxed:

XI. And be it further enacted, That all Costs to be paid by the Plaintiff or Plaintiffs in any such Suit in a Court of Equity as aforesaid shall be taxed and settled as between Attorney and Client, if the Court shall think fit so to order.

No new Bills filed but under certain circumstances.

XII. Provided also, and be it further enacted, That if any such Bill shall be filed, and shall afterwards be dismissed by reason of any such Default of the Plaintiff or Plaintiffs therein as hereinbefore provided, or under any Order of the said Court for that Purpose, no new Bill shall be filed by the same Plaintiff or Plaintiffs, or his, her or their Representatives, or by any other Part Owner or Part Owners of the same Ship or Vessel, unless the Court in which such Bill shall have been filed shall order such Dismission to be without Prejudice to the filing of a new Bill, either absolutely or under such Conditions as to the said Court shall seem just.

Interest of Money paid into Court to belong to Parties entitled to Principal.

XIII. And be it further enacted, That if any Money shall be paid into any such Court of Equity as aforesaid, in respect of the Value of any such Ship or Vessel, Appurtenances or Freight, all Interest and Profit made thereof whilst such Money shall remain in Court shall be considered as belonging to the Parties in such Suit, who shall appear to be entitled to the Principal Money or Proportions thereof respectively, and shall be divided and distributed accordingly; and if Security shall be given for such Value, or any Part thereof, the same shall bear Interest, and such Interest shall be applied in like manner.

Any Bill filed by one Part Owner, equally binding on others.

XIV. And be it further enacted, That if any such Bill shall be filed as aforesaid by any Part Owner or Part Owners of any Ship or Vessel, on behalf of himself, herself or themselves, and the other Part Owners, such Bill shall bind all such other Part Owners, and their Representatives, in the same manner as they would have been bound if Parties Plaintiffs to such Bill; and if after the filing of any such Bill any of the Plaintiffs or other Part Owners shall die, the Right of Action against such Part Owners so dying, founded on any Tort or Wrong, shall not thereby be lost, but it shall be lawful to proceed against the respective Representatives of the Part Owners so dying, in the same manner as might have been if such Right of Action had been founded on Contract.

Any Court competent to act as Court of Equity, deemed such for Purposes of Act.

XV. And be it further enacted, That if any Suit for any such Loss or Damage as aforesaid shall be instituted or depending in any Court competent to act as a Court of Equity for the Purposes of this Act, such Court shall, and is hereby authorized and empowered to proceed in such Suit for such Purposes, in the same manner, and under the same Regulations, and with the same Powers as are herein given to Courts of Equity, so far as the same are applicable to the nature of such Court, and the Forms of Proceedings therein, and such Court shall use all such means as a Court of Equity is by this Act empowered to use for the Purposes of this Act.

Money paid for Damage how accounted for.

XVI. And be it further enacted, That all and every Sum and Sums of Money which shall be paid for or towards or on account of any Loss or Damage, in respect whereof the Responsibility of the Owners of any Ship or Vessel is limited by this Act, or by the said Acts or either of them, or any Costs incurred in relation thereto, shall and may be brought into Account among the Part Owners of the same Ship

Ship or Vessel in such and the like manner as Money disbursed for the Use thereof.

XVII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices and other Persons whomsoever, without the same being specially pleaded. Public Act.

### C A P. CLX.

An Act to relieve Persons who impugn the Doctrine of the *Holy Trinity* from certain Penalties. [21st July 1813.]

WHEREAS, in the Nineteenth Year of His present Majesty 19 G. 3. c. 44.  
an Act was passed, intituled *An Act for the further Relief of Protestant Dissenting Ministers and Schoolmasters*; and it is expedient to enact as hereinafter provided; Be it therefore enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of an Act passed in the First Year of the Reign of King William and Queen Mary, intituled *An Act for exempting His Majesty's Protestant Subjects dissenting from the Church of England, from the Penalties of certain Laws*, as provides that that Act or any thing therein contained should not extend or be construed to extend to give any Ease, Benefit or Advantage to Persons denying the *Trinity* as therein mentioned, be and the same is hereby repealed. 1 W. & M. Sess. 1. c. 18. § 17. repealed.

II. And be it further enacted, That the Provisions of another Act passed in the Ninth and Tenth Years of the Reign of King William, intituled *An Act for the more effectual suppressing Blasphemy and Profaneness*, so far as the same relate to Persons denying as therein mentioned, respecting the *Holy Trinity*, be and the same are hereby repealed. 9 & 10 W. 3. c. 32. in part repealed.

III. And whereas it is expedient to repeal an Act, passed in the Parliament of Scotland in the First Parliament of King Charles the Second, intituled *An Act against the Crime of Blasphemy*; and another Act, passed in the Parliament of Scotland in the First Parliament of King William, intituled *An Act against Blasphemy*; which Acts respectively ordain the Punishment of Death; Be it therefore enacted, That the said Acts and each of them shall be, and the same are and is hereby repealed. Acts passed in Scotland against Blasphemy repealed.

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

### C A P. CLXI.

An Act for enabling His Majesty to raise the Sum of Five Millions for the Service of *Great Britain*, and for applying the Sum of Two hundred thousand Pounds *British* Currency for the Service of *Ireland*. [22d July 1813.]

TREASURY to cause Exchequer Bills for 5,000,000l. to be made out in manner directed by 48 G. 3. c. 1.—§ 1, 2. Exchequer Bills chargeable on the First Supplies. § 3. Exchequer Bills to bear an Interest not exceeding 3*d.* per Cent. per Diem. § 4. Exchequer Bills to be taken in Payment at the Exchequer after  
“ April

“ April 5, 1814. § 5. Bank may advance 5,000,000l. on the Credit  
 “ of Act, notwithstanding 5 & 6 W. & M. c. 20.—§ 6. 200,000l.  
 “ out of the Supplies granted for Ireland. § 7.

## C A P. CLXII.

An Act to repeal a certain Provision respecting Persons convicted of Felony without Benefit of Clergy, contained in an Act made in the Fifty second Year of the Reign of His present Majesty, for the Erection of a Penitentiary House for the Confinement of Persons convicted within the City of London and County of Middlesex, and for making other Provisions in lieu thereof. [22d July 1813.]

52 G. 3. c. 44.

§ 47.

“ WHEREAS it is necessary that so much of a certain Act,  
 “ made in the Fifty second Year of the Reign of His present  
 “ Majesty King George the Third, intituled *An Act for the Erection*  
 “ *of a Penitentiary House for the Confinement of Offenders convicted*  
 “ *within the City of London and County of Middlesex; and for making*  
 “ *Compensation to Jeremy Bentham Esquire, for the Non-performance*  
 “ *of an Agreement between the said Jeremy Bentham and the Lords*  
 “ *Commissioners of His Majesty's Treasury, respecting the Custody and*  
 “ *Maintenance of Convicts,* as enacts, That in all cases where any  
 “ Court or Courts shall think fit to sentence any Person or Persons,  
 “ convicted before such Court or Courts of Felony without Benefit of  
 “ Clergy, to Imprisonment as or for the Punishment, or Part of the  
 “ Punishment for such Offence, such Court or Courts may, if they shall  
 “ think fit so to do, moreover direct that the Person or Persons so  
 “ convicted shall during such Imprisonment be kept to Hard Labour,  
 “ should be repealed, and that other Provisions in lieu thereof should  
 “ be made in respect to the Sentences of Persons convicted before  
 “ such Court or Courts of Felony with Benefit of Clergy:’ May it  
 “ therefore please Your Majesty that it may be enacted; and be it enacted  
 “ by the King's Most Excellent Majesty, and by and with the  
 “ Advice and Consent of the Lords Spiritual and Temporal, and  
 “ Commons, in this present Parliament assembled, and by the Authority  
 “ of the same, That so much of the said Act as enacts, ‘ That in all  
 “ cases where any Court or Courts shall think fit to sentence any Person  
 “ or Persons, convicted before such Court or Courts, of Felony without  
 “ Benefit of Clergy, to Imprisonment as or for the Punishment, or Part of  
 “ the Punishment for such Offence, such Court or Courts may, if they  
 “ shall think fit so to do, moreover direct that the Person or Persons  
 “ so convicted shall during such Imprisonment be kept to Hard Labour,’  
 “ shall be and the same is hereby repealed; and that, from and after the  
 “ passing of this Act, it shall and may be lawful for any Court to pass  
 “ upon any Person, who shall be lawfully convicted before any such  
 “ Court of Felony, with Benefit of Clergy, or of any Grand Larceny or  
 “ of any Petit Larceny, the Sentence of Imprisonment to Hard Labour,  
 “ either simply and alone, or in addition to any other Sentence which  
 “ such Court may or shall be authorized by Law to pass upon any Person  
 “ lawfully convicted of any of the Offences aforesaid, as to such Court  
 “ shall seem fit; and such Person shall thereupon suffer such other Sen-  
 “ tence, and be moreover imprisoned and kept to Hard Labour, or be  
 “ simply imprisoned and kept to Hard Labour, in such Place and for  
 “ such time as such Court shall think fit to direct, not exceeding the time  
 “ for which such Courts may now imprison for such Offences.

repealed.

Felony, Grand  
and Petit Lar-  
ceny.

Punishment.

LOCAL

## LOCAL AND PERSONAL ACTS

TO BE JUDICIALLY NOTICED ;

OR PRINTED COPIES WHEREOF ARE DECLARED TO BE EVIDENCE.

N. B.—*The Continuance of such of the following Acts as are temporary will be known (where it is not expressly stated) by referring to the following List, according to the corresponding Letter at the End of the Title.*

- (a) *For 21 Years, &c. [i. e. to the End of the next Session] from a Day named in the Act.*
- (b) *For 21 Years, &c. from the passing of the Act.*
- (c) *For 21 Years, &c. after the End of the Term under former Acts.*

*All Acts in this List, not distinguished by the Letters (q. P.) are PUBLIC ACTS; to each of which is annexed a Clause in the Form following :*

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

(q. P.) *Quasi Public Acts, i. e. Acts to each of which is annexed a Clause in the Form following :*

“ And be it further enacted, That this Act shall be printed by the several Printers to the King’s Most Excellent Majesty, duly authorized to print the Statutes of the United Kingdom, and a Copy thereof so printed by any of them, shall be admitted as Evidence thereof by all Judges, Justices and others.”

*Cap. i.*

An Act to enlarge the Term and Powers of an Act of His present Majesty, for repairing the Road from the Guide Post near *Sudden Bridge*, in the Parish of *Rochdale*, to *Bury*, and a Branch therefrom, all in the County Palatine of *Lancaster*. (b) [23d March 1813.] 37 G. 3. c. 146.  
[*New Trustees. Former Tolls repealed, new Tolls granted. Double Tolls on Sunday.*]

*Cap. ii.*

An Act for enlarging the Powers of an Act of His present Majesty, for repairing Roads leading to and from *Tiverton*, in the County of *Devon*, and for making a new Road to communicate therewith. 51 G. 3. c. 174.  
[23d March 1813.]  
[*For full Term of former Act unexpired.*]

*Cap.*

## Cap. iii.

- 12 G. 3. c. 93.  
31 G. 3. c. 117. An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from the *Exeter* Turnpike at *Reedy Gate* in the Parish of *Dunsford*, to *Cherrybrook* in the Forest of *Dartmoore*, in the County of *Devon*. (c) [23d March 1813.]  
[Additional Trustees. Former Tolls repealed, new Tolls granted. Double Tolls on Sunday.]

## Cap. iv.

- 33 G. 3. c. 143. An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from *Little Bowden*, in the County of *Northampton*, to *Rockingham*, in the said County. (c)  
[23d March 1813.]  
[Additional Trustees. Former Tolls to cease, new Tolls granted. Double Tolls on Sunday.]

## Cap. v.

- 17 G. 3. c. 68. An Act for altering and enlarging the Powers of an Act of the Seventeenth Year of His present Majesty, for building a Bridge at *Maifmore*, in the County of *Gloucester*. [23d March 1813.]

## Cap. vi.

- An Act for repairing the Road from the City of *Coventry* to the *Rugby* Turnpike Road, in the Parish of *Wolway*, in the County of *Warwick*. (b) [23d March 1813.]  
[Double Tolls on Sunday.]

## Cap. vii.

- 11 G. 3. c. 77.  
19 G. 3. c. 110. An Act for continuing and amending Two Acts of His present Majesty, for repairing several Roads in the County of *Glamorgan*, so far as they relate to the Roads comprized in the *Llantriffent* District. (a) [23d March 1813.]  
[Additional Trustees. Former Tolls to cease, new Tolls granted.]

## Cap. viii.

- 42 G. 3. c. xlviii. An Act for altering and enlarging the Provisions of an Act of His present Majesty, for improving the Town of *Kilmarnock*, in the County of *Ayr*. [23d March 1813.]  
[Tolls or Pontage Duties to cease, new Tolls or Pontage Duties granted.]

## Cap. ix.

- 37 G. 3. c. 147. An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from the City of *Norwich* to *North Walsham*, in the County of *Norfolk*. (a) [23d March 1813.]  
[Former Tolls to cease, new Tolls granted.]

## Cap. x.

- 10 G. 3. c. 67.  
32 G. 3. c. 112. An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from the City of *Norwich* to *Sewaffham*, and from *Honingham* to *Taxham*, in the County of *Norfolk*, and also a Lane called *Hangman's Lane*, near the Gates of the said City. (b) [23d March 1813.]  
Cap.

## Cap. xi.

An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing and widening the Road from *Bawtry*, in the County of *York*, to *East Markham* Common, in the County of *Nottingham*, and from *Little Drayton* to *Twyford* Bridge, in the said County of *Nottingham*. (b)

[23d March 1813.]

[Additional Trustees. Former Tolls repealed, new Tolls granted. Double Tolls on Sunday.]

## Cap. xii.

An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing and widening the Road from *Dunham Ferry* to the South End of *Great Markham* Common, in the County of *Nottingham*. (b)

[23d March 1813.]

[Additional Trustees. Former Tolls repealed, new Tolls granted. Double Tolls on Sunday.]

## Cap. xiii.

An Act for continuing the Term and altering and enlarging the Powers of an Act made in the Thirty second Year of His present Majesty, for making and repairing the Road from the Town of *Lanark* to the Town of *Hamilton*, in the County of *Lanark*. (b)

[23d March 1813.]

[Former Tolls to cease, new Tolls granted.]

## Cap. xiv.

An Act for inclosing Lands in the Parish of *Geist*, in the County of *Norfolk*. (q. P.)

[23d March 1813.]

## Cap. xv.

An Act for inclosing Lands in the Parish of *Fawley*, in the County of *Southampton*. (q. P.)

[23d March 1813.]

## Cap. xvi.

An Act for inclosing Lands in the Parish of *Witbam on the Hill*, with *Mantborpe*, *Toft* and *Lound*, in the County of *Lincoln*. (q. P.)

[23d March 1813.]

“ Allotments and Compensations for Tithes, § 18, 19, 20, 21. 33.

## Cap. xvii.

An Act for inclosing Lands in the Parish of *Aftham Richard*, in the County of the City of *York*. (q. P.)

[23d March 1813.]

“ Allotments and Compensations for Tithes, § 17.

## Cap. xviii.

An Act for inclosing Lands in the Parish of *Haburgb* in the County of *Lincoln*. (q. P.)

[23d March 1813.]

## Cap. xix.

An Act for making and maintaining a Navigable Canal, to unite the Rivers *Wey* and *Arun*, in the Counties of *Surrey* and *Suffen*.

[1st April 1813.]

["*The Company of Proprietors of the Wey and Arun Junction Canal*" incorporated.]

## Cap. xx.

49 G. 3. c. xcvi. An Act for enlarging the Powers of an Act of His present Majesty, for supplying with Water the Towns of *Manchester* and *Salford*, in the County Palatine of *Lancaster*.

[1st April 1813.]

## Cap. xxi.

17 G. 3. c. 5.  
42 G. 3. c. xxviii. An Act for altering and amending Two Acts of the Seventeenth and Forty second Years of His present Majesty, for the better Relief and Employment of the Poor of the Parish of *Saint Mary Islington*, in the County of *Middlesex*, and for building a Workhouse for the said Parish.

[1st April 1813.]

## Cap. xxii.

An Act for making a Road from *Beach Down* near *Battle*, to *Heathfield*, and from *Robert's Bridge*, to *Hood's Corner*, all in the County of *Suffex*. (b)

[1st April 1813.]

[*Double Tolls in certain cases between 29th Sep. and 25th March. Double Tolls on Sunday.*]

## Cap. xxiii.

11 G. 3. c. 88.  
33 G. 3. c. 176. An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Roads from *Market Harborough* to *Loughborough*, and from *Filling Gate* to the *Melton Mowbray* Turnpike Road, in the County of *Leicester*. (b)

[1st April 1813.]

[*Additional Trustees. Former Tolls repealed, new Tolls granted.*]

## Cap. xxiv.

32 G. 3. c. 126. An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Roads leading from the Parishes of *Toxford*, *Saxmundham* and *Benhall*, in the County of *Suffolk*, to the Town of *Aldeburgh*, in the said County. (c)

[1st April 1813.]

[*Additional Trustees. Former Tolls to cease, new Tolls granted. Half Tolls payable on Back Carriage from Aldeburgh.*]

## Cap. xxv.

32 G. 3. c. 135. An Act for continuing and amending an Act of His present Majesty, for repairing the Roads leading from *Bowes* in the County of *York*, through *Barnard Castle* and *Bishop Auckland*, to join the Great North Road near *Sunderland Bridge*, in the County of *Durham*. (a)

[1st April 1813.]

[*New Trustees. Former Tolls to cease, new Tolls granted.*]

Cap.



## Cap. xxvi.

An Act for altering and enlarging the Term and Powers of an Act, of the Forty fourth Year of His present Majesty, for repairing the Roads leading from Tavistock to Old Town Gate, in the Borough of Plymouth, and from Manadon Gate to the Old Pound near Plymouth Dock, in the County of Devon. (b) [1st April 1813.] 44 G. 3. c. xvi.

[Additional Trustees. Former Tolls to cease, new Tolls granted. Double Tolls on Sunday.]

## Cap. xxvii.

An Act for continuing and amending Five Acts passed for repairing several Roads leading from the Towns of Hertford and Ware, and other Places, in the County of Hertford. (a) [1st April 1813.] 11 G. 1. c. 11.  
6 G. 2. c. 15.  
26 G. 2. c. 36.  
12 G. 3. c. 84.  
39 G. 3. c. xix.

[Former Tolls to cease, new Tolls granted. Double Tolls on Sunday.]

## Cap. xxviii.

An Act for effecting an Exchange between the Dean and Chapter of the Cathedral Church of Hereford, and the Right Honourable John Sommers Lord Sommers, of certain Estates in the County of Hereford. (q. P.) [1st April 1813.]

## Cap. xxix.

An Act for inclosing Lands in the Manor and Township of Buglawton, in the County of Chester. (q. P.) [1st April 1813.]

## Cap. xxx.

An Act for inclosing Lands in the Parish of Rollesby, in the County of Norfolk. (q. P.) [1st April 1813.]

## Cap. xxxi.

An Act for inclosing Lands in the Parish of Melksham, in the County of Wilts. (q. P.) [1st April 1813.]

## Cap. xxxii.

An Act to amend an Act of the last Session of Parliament for making and maintaining a navigable Canal from the Grand Junction Canal, in the Parish of Paddington, to the River Thames in the Parish of Limehouse, with a Collateral Cut in the Parish of Saint Leonard Shoreditch, in the County of Middlesex. [15th April 1813.] 52 G. 3. c. cxcv.

## Cap. xxxiii.

An Act for raising a further Sum of Money \* for the Improvement of the Harbour of Leith, and Works therewith connected. [15th April 1813.] See 18 G. 3. c. 58.  
38 G. 3. c. xix.  
39 G. 3. c. xlv.  
45 G. 3. c. xxxii.  
47 G. 3. Sess. 2. c. iii.

\* [80,000*l.* Sterling.]

## Cap. xxxiv.

An Act for explaining and amending an Act of His present Majesty, for constructing a Harbour at Porthleven in Mann's Bay, in the County of Cornwall. [15th April 1813.] 51 G. 3. c. cxcv.

## Cap. xxxv.

An Act for improving the Pier and Port of *Hartlepool*, in the County of *Durham*. [15th April 1813.]

## Cap. xxxvi.

46 G. 3. c. cxix. An Act to authorize the Company of Proprietors of the *West*  
50 G. 3. c. cxxxii. *Middlesex* Waterworks to raise a further Sum of Money, for enabling them more effectually to carry on their Works.

[15th April 1813.]

[£160,000.]

## Cap. xxxvii.

20 G. 3. c. 66. An Act for enlarging the Powers of an Act of His present Majesty, for the better Relief and Employment of the Poor of the Hamlet of *Mile End New Town*, in the Parish of *Stepney*, in the County of *Middlesex*, and other Purposes; and for better collecting the Poor Rates in the said Hamlet. [15th April 1813.]

## Cap. xxxviii.

6 G. 3. c. 45. in part repealed. An Act for more effectually paving, cleansing, lighting, watching and  
29 G. 3. c. 75. regulating certain Parts of *Piccadilly* and *Park Lane*, in the Parish of *Saint George Hanover Square*, in the County of *Middlesex*; and also the several Squares, Streets, Lanes and other public Passages and Places within the said Parish; and for altering and enlarging the Powers of an Act of the Twenty ninth Year of His present Majesty, relative to the above Purposes, and to the Poor of the said Parish. [15th April 1813.]

## Cap. xxxix.

41 G. 3. (U.K.) An Act for amending an Act passed in the Forty first Year of His  
c. xvii. present Majesty, respecting the High Roads in the County of *Selkirk*. [15th April 1813.]

## Cap. xl.

32 G. 3. c. 113. An Act for more effectually amending, widening and keeping in  
repealed. Repair, the Road leading from the North End of the Turnpike Road called *The Coal Road*, near *West Auckland*, in the County of *Durham*, to the *Elfdon* Turnpike Road, at or near *Elisbaw*, in the County of *Northumberland*. (a) [15th April 1813.]

[Double Tolls in certain cases between 1st November and 1st May.]

## Cap. xli.

18 G. 2. c. 23. An Act for more effectually repairing the Road from the *Horseshoe*  
3 G. 3. c. 30. Corner, in *Godmanchester*, in the County of *Huntingdon*, to the  
33 G. 3. c. 156. South East End of *Castle Street*, in the Town of *Cambridge*, in  
repealed as to the County of *Cambridge*. (a) [15th April 1813.]

Roads in Title to this Act.

## Cap. xlii.

32 G. 3. c. 113. An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from *Burford*, in the County

County of *Oxford*; to *Leachlade*, in the County of *Gloucester*; and also the Road from thence through *Highbworth* to the *Cricklade* and *Swindon* Turnpike Road, in the County of *Wilts.* (c)

[15th April 1813.]

[Additional Trustees.]

Cap. xliii.

An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from the *Eaton Bridge* Turnpike Road at *Cockham Hill*, in the Parish of *Westerham*, in the County of *Kent*, to the Turnpike Road from *Croydon* to *Godstone*, in the County of *Surry.* (c)

10 G. 3. c. 62.  
32 G. 3. c. 151.

[15th April 1813.]

[Additional Trustees. Instead of Tolls granted by former Acts, new Tolls granted. Double Tolls on Sunday.]

Cap. xliv.

An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from *Great Marlow*, in the County of *Buckingham*, to *Stokenchurch*, in the County of *Oxford.* (c)

31 G. 3. c. 135.

[15th April 1813.]

Cap. xlv.

An Act for shutting up a Road and Footpath, leading from *Castleford* to *Ferrybridge*, in the County of *York.*

[15th April 1813.]

Cap. xlvi.

An Act to continue the Term and alter the Powers of several Acts of the Thirty fourth, Thirty seventh and Forty fifth Years of His Majesty's Reign, for repairing several Roads in the Counties of *Clackmannan* and *Perth.* (a)

34 G. 3. c. 139.  
37 G. 3. c. 166.  
45 G. 3. c. xvi.

[15th April 1813.]

[Former Tolls to cease, new Tolls granted.]

Cap. xlvii.

An Act for continuing and amending Two Acts of His present Majesty for repairing and widening the Road from *Lewes* to *Brighthelmstone*, in the County of *Suffex.* (b)

10 G. 3. c. 64.  
31 G. 3. c. 115.

[15th April 1813.]

[Additional Trustees.]

Cap. xlviii.

An Act for enlarging the Term and Powers of Four several Acts, passed in the Thirty first Year of the Reign of His late Majesty King *George* the Second, and in the First, Eighteenth and Thirty seventh Years of the Reign of His present Majesty, for repairing the Road from *Leeds* to *Sheffield*, in the County of *Tork*, so far as the same relate to the Road from *Wakefield* to *Sheffield*, and for diverting a Part of the said Road. (b)

31 G. 2. c. 63.  
1 G. 3. c. 33.  
18 G. 3. c. 105.  
37 G. 2. c. 159.

[15th April 1813.]

[Additional Trustees. Former Tolls to cease, new Tolls granted. Extra Tolls on Sunday in certain cases.]

Cap. xlix.

An Act for enabling the Prebendary of *Cantlowes*, in the Cathedral Church of *Saint Paul* in *London*, to grant a Lease, with Powers

See 45 G. 3. c. cxv.

of Renewal, of the Prebendal Lands of *Kentish Town*, in the County of *Middlesex*. (q. P.) [15th April 1813.]

Cap. l.

See 47 G. 3.  
Sess. 2. c. lviii.

An Act for vesting Part of the Settled Estates of the Right Honourable *Philip* Earl of *Chesterfield*, in Trustees, in Trust to be sold; and for laying out the Monies arising from such Sales, in the Purchase of other Estates, to be settled to the same Uses. (q. P.) [15th April 1813.]

Cap. li.

An Act for vesting certain Estates of the Right Honourable *William Charles* Earl of *Albemarle*, at *Elveden* otherwise *Blidon*, and *Bardwell*, in the County of *Suffolk*, devised by the Will of the Right Honourable *Augustus* Viscount *Keppel*, in Trustees, upon Trust to sell the same; and to apply the Money arising from the Sale thereof in the Purchase of Estates contiguous to the Family Estates of the said Earl in the County of *Norfolk*, to be settled to the subsisting Uses of the said Will of the said *Augustus* Viscount *Keppel*. (q. P.) [15th April 1813.]

Cap. lii.

An Act for vesting certain Estates belonging to the See of *York*, in Trustees for Sale, and for applying the Monies thence arising in the Purchase of other Estates, to be settled to the same Uses as the Estates sold. (q. P.) [15th April 1813.]

Cap. liii.

An Act for vesting certain detached Settled Estates of Sir *John Chandos Breda* Baronet, in Trustees, to be sold, for paying off Incumbrances thereon, and for purchasing other Estates to be settled to the same Uses. (q. P.) [15th April 1813.]

Cap. liv.

An Act for inclosing Lands in the Parish of *Stonleigh*, in the County of *Warwick*. (q. P.) [15th April 1813.]

Cap. lv.

An Act for inclosing Lands in the Parish of *Ashley*, in the County of *Stafford*. (q. P.) [15th April 1813.]

Cap. lvi.

An Act for inclosing Lands in *Ecchinswell*, in the County of *Southampton*. (q. P.) [15th April 1813.]

Cap. lvii.

An Act for inclosing Lands in the Parish of *Stow Bedon*, in the County of *Norfolk*. (q. P.) [15th April 1813.]

Cap. lviii.

An Act for inclosing Lands in the Manor of *Laughton*, in the County of *Suffex*. (q. P.) [15th April 1813.]

Cap.

## Cap. lix.

An Act for inclosing Lands in the Parish of *Hardingham*, in the County of *Norfolk*. (q. P.) [15th April 1813.]

## Cap. lx.

An Act for inclosing Lands in *Wranall*, *Nailsea* and *Bourton*, in the County of *Somerset*. (q. P.) [15th April 1813.]

## Cap. lxi.

An Act for inclosing Lands in the Manor of *Stetton* in *Cleveland*, in the County of *York*. (q. P.) [15th April 1813.]

## Cap. lxii.

An Act for paving and otherwise improving certain Streets and other Public Passages and Places which are or shall be made upon certain Pieces of Ground belonging to His Majesty, in the several Parishes of *Saint Mary le bone* and *Saint Pancras*, in the County of *Middlesex*, called *Mary le bone Park*. [1st May 1813.]

## Cap. lxiii.

An Act for altering, amending and enlarging the Powers of several Acts for making and repairing certain Roads leading into the City of *Glasgow*, so far as they relate to that Part of the Road from the City of *Glasgow* to the Town of *Dumbarton*, which leads from *Toker Bridge* to the Town of *Dumbarton*. (b) [1st May 1813.]

26 G. 2. c. 98.  
27 G. 2. c. 27.  
12 G. 3. c. 106.  
28 G. 3. c. 92.  
repealed as to  
Road from Yoker  
Bridge to Dumbarton.

## Cap. lxiv.

An Act to continue the Term, and to continue, enlarge and amend the Powers of Two Acts of His present Majesty, for amending, widening and keeping in Repair the Roads leading from *Ludlowfach* to the Town of *Llandoverly*; and from thence to the River *Amman*, in the County of *Carmarthen*, and several other Roads in the same County, communicating therewith; and for making several new Branches of Road to communicate with the said Roads. (b) [1st May 1813.]

19 G. 3. c. 102.  
25 G. 3. c. 143.

[Additional Trustees. Former Tolls to cease, new Tolls granted. Double Tolls on Sunday.]

## Cap. lxv.

An Act for making and maintaining a Carriage Road from *Padbrooke Bridge* in the Parish of *Cullhopton*, to *Hazel Stone* in the Parish of *Broad Clift*, in the County of *Devon*. (b) [1st May 1813.]

[Extra Tolls on Sunday, in certain cases.]

## Cap. lxvi.

An Act for exchanging Part of the settled Estates of the Right Honourable *Francis Earl of Moira*, situate in *England*, for Part of the Estates of the Right Honourable *Flora Mure Countess of Loudoun*, his Wife, situate in *Scotland*. (q. P.) [1st May 1813.]

## Cap. lxxvii.

An Act for inclosing Lands in *Long Ashton*, in the County of *Somerset*. (q.P.) [1st May 1813.]

## Cap. lxxviii.

An Act for inclosing Lands within the Manor of *Rampisham* in the Parishes of *Rampisham* and *West Chelborough*, in the County of *Dorset*. (q.P.) [1st May 1813.]

“Allotments and Compensations for Tithes, § 20.

[*Note, the Evidence Clause to this Act differs in the following respects; viz. “And it is lastly enacted” instead of “And be it further enacted” and leaving out the Words “by any of them.”*]

## Cap. lxxix.

An Act for inclosing Lands in the Township of *Flint*, in the County of *Flint*. (q.P.) [1st May 1813.]

“Allotment to His Majesty, § 26. 48.

## Cap. lxx.

40 G. 3. (1.)  
c. 100.

An Act for reviving, amending and making perpetual, an Act passed in the Parliament of *Ireland*, in the Fortieth Year of the Reign of His present Majesty, for the better Regulation of the Butter Trade of the City of *Cork*, and the Liberties thereof; and for other Purposes therein mentioned. [1st May 1813.]

## Cap. lxxi.

An Act for regulating *Covent Garden Market*. [21st May 1813.]

## Cap. lxxii.

52 G. 3. c. cxlix. An Act for enlarging the Powers of an Act of His present Majesty for widening and improving *Upper East Smithfield*, in the Parish of *Saint Botolph without Aldgate*, in the County of *Middlesex*. [21st May 1813.]

[*For Residue of Term under former Act.*]

## Cap. lxxiii.

6 Ann. Vol. III.  
p. 758.  
32 G. 2. c. 59.  
26 G. 3. c. 19.

An Act for altering and amending Three Acts of the Sixth Year of *Queen Anne*, the Thirty second Year of *King George the Second*, and the Twenty sixth Year of His present Majesty, for erecting a Workhouse in the Town and Borough of *Plymouth*, in the County of *Devon*, and for setting the Poor on Work, and maintaining them there. [21st May 1813.]

## Cap. lxxiv.

An Act for enabling *William Ogilvie Esquire*, to purchase Lands for opening sufficient Roads to and Communications with the Harbour of *Ardglaf*, in the County of *Down*. [21st May 1813.]

Cap.

## Cap. lxxv.

An Act for amending an Act of the Tenth Year of His present Majesty, for making and maintaining a Navigable Cut or Canal, and Waggon Way, from the Collieries in the Parishes of *Old* and *New Monkland*, to the City of *Glasgow*. [21st May 1813.]

10 G. 3. c. 105.  
30 G. 3. c. 73.

## Cap. lxxvi.

An Act for altering and amending an Act made in the Twenty seventh Year of His present Majesty, for confirming a Charter or Letters Patent granted by His Majesty to the Royal College and Corporation of Surgeons of the City of *Edinburgh*, and for establishing a Fund for a Provision to the Widows and Children of the Members of the said Corporation and their Clerk. [21st May 1813.]

27 G. 3. c. 65.

## Cap. lxxvii.

An Act for erecting and maintaining a new Gaol, and other Buildings, for the County and City of *Edinburgh*. [21st May 1813.]

See 48 G. 3.  
c. 146.

## Cap. lxxviii.

An Act for making an equal County Rate for the County of *Oxford*. [21st May 1813.]

WHEREAS the Assessments by which the County Rates are collected in the County of *Oxford*, are become very disproportionate and unequal, and it is therefore expedient that Power and Authority should be given to the Justices of the Peace for the said County of *Oxford*, in their General or Quarter Sessions assembled, to make a fair and equal County Rate, and for that Purpose to assess and tax rateably and in due Proportions all and every the Parishes, Towns, Liberties, Precincts, Villages, Hamlets and Places within the said County, heretofore subject and liable to the Authority and Jurisdiction of the said Justices as to the assessing or levying of the County Rates, according to the annual Rent or Value of Estates therein, for and towards 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, from and after the passing of this Act, the Justices of the Peace for the said County of *Oxford*, in their General or Quarter Sessions assembled, or at any Adjournment or Adjournments thereof, shall have full Power and Authority, and they are hereby required from time to time, to assess and tax to the County Rates every Parish, Town, Liberty, Precinct, Village, Hamlet and Place within the said County, heretofore subject and liable to the Authority and Jurisdiction of the said Justices as to the assessing or levying of the County Rates, rateably and in equal Proportions, according to the Annual Rent or Value of Estates within each Parish, Town, Liberty, Precinct, Village, Hamlet and Place respectively.

Justices of the  
Peace in Sessions  
may assess  
County.

II. And be it further enacted, That at the next General Quarter Sessions of the Peace to be holden in and for the said County of *Oxford*

Rental of  
County delivered

to Quarter Sessions.

*Oxford* after the passing of this Act, or at the next subsequent General Quarter Sessions, and from time to time during the Execution of this Act, when required by the Justices assembled at any General Quarter Sessions of the Peace for the same County, or by the Clerk of the Peace acting under their Authority, the Churchwardens and Overseers of the Poor of the several and respective Parishes, Towns, Liberties, Precincts, Villages, Hamlets and Places within the said County, shall and they are hereby required to make a Return in Writing to the said Justices in Session assembled (which Return shall be verified upon Oath in open Court, at the time of delivering in the same, by the Person or Persons so delivering in the same), of the total Amount of the Rental or Value of the several Estates and rateable Property within the Parish, Town, Liberty, Precinct, Village, Hamlet or Place to which they shall respectively belong, charged or assessed to the Pools Rate of and in such Parish, Town, Liberty, Precinct, Village, Hamlet or Place, at the time of making such Return, or liable so to be; and the Mode adopted of making such Rate, whether it be to the full Value or in what Proportion thereof, shall be stated and pointed out in Writing upon such Return, and verified as aforesaid by such Churchwardens and Overseers, in order that the said Justices may be enabled to discover the real Amount of the Rental or Value of the Estates within such several Parishes, Towns, Liberties, Precincts, Villages, Hamlets or Places.

Churchwardens and Overseers not making Returns.

III. And be it further enacted, That in case any Churchwarden or Overseer of the Poor of any of the several Parishes, Towns, Liberties, Precincts, Villages, Hamlets or Places within the said County, shall neglect or make Default in making any such Returns in manner aforesaid, then and in every such case each and every such Churchwarden and Overseer of the Poor so neglecting or making Default (without sufficient Excuse, to be allowed by the said Justices in their said General or Quarter Session) shall forfeit and pay such Sum and Sums of Money, not exceeding Ten Pounds, as shall or may be ordered or adjudged by the said Justices, in their General Quarter Sessions assembled, by way of Penalty for such Neglect or Default; and in case any such Penalty shall not be forthwith paid, it shall and may be lawful to and for the said Justices, in such Sessions assembled, and they are hereby directed to issue their Warrant, signed by the Justice acting as Chairman of the Justices at such Session, to the High Constable of the Division where such Parish, Town, Liberty, Precinct, Village, Hamlet or Place shall be situated, directing him to levy such Penalty upon the respective Goods and Chattels of each and every Churchwarden and Overseer of the Poor of the Parish, Town, Liberty, Precinct, Village, Hamlet or Place so neglecting or making Default, in like manner and with such Powers and Authorities as the said High Constable is, by a Statute made in the Twelfth Year of the Reign of His late Majesty King *George the Second*, intituled *An Act for the more easy assessing, collecting and levying County Rates*, vested with for levying on the Churchwardens and Overseers of the Poor the Sum assessed for the County Rate.

Penalty.

Warrant.

12 G. 2. c. 29. § 2.

Parishes may be assessed, although no Return made.

IV. And be it further enacted, That if any Churchwarden or Churchwardens, or Overseer or Overseers of the Poor, shall neglect or make Default in making such Return or Returns as aforesaid; or

if



if it shall happen that notwithstanding the incurring of any such Penalty or Penalties as aforesaid, for or on account of such Neglect or Default, a Return for any Parish, Town, Liberty, Precinct, Village, Hamlet or Place, shall not be made within the time before limited for the making thereof; then and in every such case it shall be lawful for the said Justices and they are hereby required, either at the said Quarter Sessions or at any Adjournment or Adjournments thereof, or at some subsequent General or Quarter Sessions to be held for the said County, or at some Adjournment or Adjournments thereof, to rate and assess each and every the Parish, Town, Liberty, Precinct, Hamlet or Place, of which the Churchwarden or Churchwardens, or Overseer or Overseers of the Poor, shall have so neglected or made Default in making such Return as aforesaid, for and towards the said County Rate, according to such Estimate of the just and fair annual Rent or Value of the Estates within such Parish, Town, Liberty, Precinct, Village, Hamlet or Place, or Parishes, Townships, Liberties, Precincts, Villages, Hamlets or Places respectively, as the said Justices shall be able to procure by any other means than the Returns which are by this Act required to be made as aforesaid, and to order such Allowance and Compensation to be made to the Constables and other Persons within the several Districts and Divisions in the said County, for their Expences and Trouble in procuring, collecting and levying the same, as to the said Justices shall appear reasonable and proper; and all such Allowances, Compensations, and other Expences as shall be thereby incurred, shall be by the Justices of the Peace for the said County of *Oxford*, in their General or Quarter Sessions; or at any Adjournment or Adjournments thereof assembled, charged upon the Parish, Town, Liberty, Precinct, Hamlet or Place of which the Churchwarden or Churchwardens, Overseer or Overseers of the Poor, shall have so neglected or made Default as aforesaid, in Addition to the Proportion of the said County Rate to be paid by such Parish, Town, Liberty, Precinct, Village, Hamlet or Place; and such Allowances, Compensations and Expences shall and may be raised, levied and collected by such and the like ways and means as the said County Rate can or may be raised, levied and collected, and shall be paid therewith.

V. And be it further enacted, That in any Parish, Township, Liberty, Precinct, Hamlet, Extra-parochial Place or other Place in the said County of *Oxford*, where no Rate is or shall be made and collected for the Relief of the Poor, it shall be lawful for the Justices of the Peace for the said County, in their General Quarter Sessions assembled, or at any Adjournment thereof, to order and direct the Sum of Money which shall from time to time be assessed as or for the County Rate upon such Parish, Township, Liberty, Precinct, Hamlet, Extra-parochial Place or other Place, to be rated and levied on the Inhabitant or Inhabitants, or Occupier or Occupiers of Lands and Tenements therein, by such one or more Inhabitant or Inhabitants, or Occupier or Occupiers, in such and the same manner as any Rate for the Relief of the Poor is by Law directed to be rated or levied; which Sum, so rated and levied, shall be paid by such one or more Inhabitant or Occupier, or Inhabitants or Occupiers, to the Chief Constable of the Hundred or Division wherein such Parish, Township, Liberty, Precinct, Hamlet, Extra-parochial Place or other Place doth lie, within the Space of Thirty Days after Demand

Parishes may be assessed where no Poor's Rates collected.

Demand thereof made in Writing, to be given to such one or more Inhabitant or Inhabitants, or Occupier or Occupiers, or left at his, her or their Dwelling House or Houses, by the said Chief Constable of such Hundred or Division, which Demand the said Chief Constable is hereby required to make at such times as the said Justices of the Peace shall by their Order in Sessions direct; and in case such one or more Inhabitant or Occupier, or Inhabitants or Occupiers, shall neglect or refuse to pay the Sum or Sums so assessed as or for a County Rate, after Demand made as aforesaid, such Chief Constable shall and is hereby empowered to levy the same by Distress and Sale of the Goods and Chattels of such one or more Inhabitant or Inhabitants, or Occupier or Occupiers, so refusing or neglecting to pay the same as aforesaid, by Warrant under the Hands and Seals of Two or more Justices of the Peace for the said County of *Oxford*, rendering the Overplus (if any) on Demand, after deducting the Money assessed and the Charges of the Distress and Sale, to the Owner or Owners thereof; and if such one or more Inhabitant or Inhabitants, or Occupier or Occupiers, shall pay such Sum before the same shall be so by him rated and levied as aforesaid, he, she or they may afterwards rate and levy the same, or shall and may be allowed and re-imbursed the said Sum of Money by a Rate made or to be made upon all and every the Inhabitant or Inhabitants, or Occupier or Occupiers of Lands and Tenements within such Parish, Township, Liberty, Precinct, Hamlet, Extra-parochial Place or other Place, which any Two or more Justices of the Peace for the said County shall order and direct; and shall be subject and liable to the same Powers and Remedies for the Recovery thereof, by Distress and Sale in cases of Nonpayment, as are heretofore given to the Chief Constable.

Distress.

In what case  
Rental of whole  
County revised,  
corrected and  
ascertained.

46 G. 3. c. 65.

VI. And be it further enacted, That the said Justices of the Peace, or any Three or more of them, or the Clerk of the Peace for the said County acting under their Authority, shall and may and they and he are and is hereby authorized and empowered, from time to time, whenever the same may be, in the Judgment of such Justices, necessary for the better Execution of this Act, to cause any of the Books of Assessment of the Property or Income Tax, so far as the same relate, or refer to, or in any wise concern the Statement of Property to be set forth and stated in the Schedule (A.) contained in an Act passed in the Forty sixth Year of the Reign of His present Majesty, intituled *An Act for granting to His Majesty, during the present War, and until the Sixth Day of April next after the Ratification of any definitive Treaty of Peace, further additional Rates and Duties in Great Britain, on Profits arising from Property, Professions, Trades and Offices, and for repealing an Act passed in the Forty fifth Year of His present Majesty, for granting a Contribution on the Profits arising from Property, Professions, Trades and Offices, and to consolidate and render more effectual the Provisions for collecting the said Duties*, and the Rental or Valuation by which such Assessments are made, mentioned and described within any Parish or Place within the said County, to be brought before them or him, and to take Copies or Extracts of and from such Books or any Part or Parts thereof, or to order and direct any Person to take such Copies or Extracts from such Books in the Hands of the Clerk to the Commissioners or Collector, without having the same brought before the Justices as aforesaid

aforesaid, as they, he or any of them shall think fit; such Compensation being made to the Parties producing the same respectively, as the said Justices, or any Three or more of them, shall think reasonable; and if any Person or Persons in whose Custody or Power any of the said Books shall be, shall neglect or refuse to attend the said Justices or the said Clerk of the Peace with such Book or Books, or to permit any such Copies or Extracts thereof as aforesaid to be taken as aforesaid, then and in every such case every Person who shall so refuse or neglect, shall, for every such Offence, forfeit and pay the Sum of Twenty Pounds, to be recovered by Distress and Sale of the Goods and Chattels of the Offender or Offenders, Person or Persons so making Default, together with the Charges of such Distress and Sale by Warrant under the Hand and Seal of any one Justice of the Peace for the said County, rendering the Overplus to the Party or Parties, respectively on whose Goods and Chattels such Distress and Sale shall be so made as aforesaid; and the same Penalties or Forfeitures, when recovered and received shall forthwith be paid to the Treasurer of the said County, or of such Division thereof in which such Offence shall arise, to be applied towards the Purposes of this Act.

VII. Provided always, and be it enacted, That if the Churchwarden or Churchwardens, Overseer or Overseers of the Poor of any Parish, Town, Liberty, Precinct, Village, Hamlet or Place in the said County, shall at any time or times have reason to believe that such Parish, Town, Liberty, Precinct, Village, Hamlet or Place is aggrieved by any Rate to be made in pursuance of this Act, then and in every such case it shall and may be lawful to and for such Churchwarden or Churchwardens, Overseer or Overseers of the Poor, to appeal to the Justices of the Peace for the said County, at their next General or General Quarter Sessions against such Part of the Rate only as may affect the Parish, Town, Liberty, Precinct, Village, Hamlet or Place in which such Churchwarden or Churchwardens, Overseer or Overseers, shall serve such Offices respectively; and the said Justices are hereby empowered to hear and finally determine the same, and either to confirm such Rate, or to give such Appellant or Appellants such Relief as to them the said Justices in their Discretion shall appear fair, just and equitable: Provided nevertheless, that upon such Appeal no such Rate shall be quashed or destroyed, in regard to any other Parish, Town, Liberty, Precinct, Village, Hamlet or Place, or Person or Persons assessed thereby; any thing in this Act, or any Law, Usage or Custom to the contrary thereof in any wise notwithstanding.

VIII. And be it further enacted, That in case of any Appeals, Actions, Suits or Proceedings at Law, as betwixt Parish and Parish, or betwixt any Person and Persons, or any Parish or Parishes, or any Person or Persons respecting any thing done in pursuance of this Act or any other Act or Acts relating to the County Rate, the Expences of all such Appeals, Actions, Suits or Proceedings at Law, shall be borne and paid by such respective Parishes and Persons, or such of them and in such Proportions, as the said Justices, upon any Appeal, in their General or Quarter Sessions, shall award and order the same, or as such Courts wherein such Actions, Suits or Proceedings shall be instituted shall adjudge and order, and shall not be charged to or paid out of the County Rate.

IX. And

Former Acts extended to Act  
12 G. 2. c. 29.

13 G. 2. c. 18.

**IX.** And be it further enacted and declared, That all and every the Clauses, Powers, Directions, Provisions and Authorities contained in the said Statute made in the Twelfth Year of the Reign of His late Majesty King George the Second, intituled *An Act for the more easy assessing, collecting and levying County Rates*; and also so much of another Statute made in the Thirteenth Year of the Reign of His said late Majesty King George the Second, intituled *An Act to continue several Acts therein mentioned, for punishing such Persons as shall wilfully and maliciously pull down or destroy Turnpikes; for repairing Highways or Lacks or other Works erected by Authority of Parliament; for making Rivers navigable; for preventing Exactions of the Occupiers of Locks and Weirs upon the River of Thames Westward, and for ascertaining the Rates of Water Carriage upon the said River; for preventing frivolous and vexatious Arrests; and for better securing the lawful Trade of His Majesty's Subjects to and from the East Indies, and for the more effectual preventing all His Majesty's Subjects trading thither under Foreign Commissions; and for limiting the time for suing forth Writs of Certiorari upon Proceedings before Justices of the Peace, and for regulating the time and manner of applying for the same; for the better and more speedy Execution of Process within particular Franchises or Liberties, and for extending the Powers and Authorities of Justices of the Peace of Counties touching County Rates, to the Justices of the Peace of such Liberties and Franchises as have Commissions of the Peace within themselves, as relates to County Rates (save and except such Parts thereof respectively as are hereby varied, altered or repealed), shall be good, valid and effectual for the Purposes of assessing, levying, collecting and enforcing the Payment of the Rate or Rates hereafter to be made in pursuance of this Act, and for carrying this Act into Execution.*

Expences of Act.

**X.** And be it further enacted, That the Treasurer of the said County of *Oxford* shall be and he is hereby authorized and required to obey any Order or Orders that shall hereafter be made by the Justices of the said County at any General Quarter Sessions of the Peace or Adjournment thereof, for the Payment of the Costs, Charges and Expences occasioned by the applying for and passing this Act, and also the Charges and Expences which shall be incident to and attending the collecting of the said Returns of the said Churchwardens, Overseers or other Persons, and the making and arranging of the Rate to be made in pursuance of this Act.

Limitation of Actions.

**XI.** Provided also, and be it further enacted, That no Action or Suit shall be brought, commenced or prosecuted against any Person or Persons for any thing done or to be done by virtue or in pursuance of this Act, after Three Calendar Months next after the Fact committed, or the Cause of such Action shall have arisen; and every such Action shall be brought and laid in the County of *Oxford*, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall and may plead, at his, her or their Election, specially or 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 or by the Authority of this Act; and if upon the Trial of such Action or Suit it shall appear to have been so done, or that such Action or Suit shall have been brought after the time limited for bringing the same as aforesaid, or be

General Issue.

brought or laid in any other County than as aforesaid, then and in every of the said cases the Jury shall find a Verdict for the Defendant or Defendants; and in all cases where a Verdict shall be found for any Defendant or Defendants in such Action or Suit, or the Plaintiff or Plaintiffs therein shall discontinue the same after the Defendant or Defendants shall have appeared thereto, or shall be nonsuited, or if, upon Demurrer, Judgment shall be given against such Plaintiff or Plaintiffs, then and in every such case the Defendant or Defendants shall recover Double Costs, and have the like Remedy for recovering the same as any Defendant or Defendants hath or have for recovering Costs of Suit in any other cases by Law.

Double Costs.

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

Public Act.

Cap. lxxix.

An Act for amending, enlarging and extending the Powers of Two several Acts passed in the Forty ninth and Fiftieth Years of His present Majesty, relating to the Execution of the Commission of Sewers for the Limits extending from *East Mouldsey* in *Surry*, to *Ravensborne* in *Kent*. [21st May 1813.]

49 G. 3. c. clxxxiii.  
50 G. 3. c. cxlii.

Cap. lxxx.

An Act for uniting the Interests and Concerns of the Proprietors of the *Chester* Canal and *Ellesmere* Canal; and for amending the several Acts of His present Majesty, relating to the said Canals. [21st May 1813.]

12 G. 3. c. 75.  
17 G. 3. c. 67.  
18 G. 3. c. 21.  
33 G. 3. c. 91.  
36 G. 3. cc. 71.

["The United Company of Proprietors of the *Ellesmere* and *Chester* Canals" incorporated.]

96.  
41 G. 3 (U.K.)  
c. lxx.  
50 G. 3. c. xxiv.

Cap. lxxxi.

An Act for enlarging the Powers of an Act of King *George* the Second, and an Act of His present Majesty, for Draining Lands in *Waterbeach Level*, in the County of *Cambridge*. [21st May 1813.]

14 G. 2. c. 24.  
37 G. 3. c. 28.

Cap. lxxxii.

An Act for more effectually paving, lighting, watching and improving the Town of *Margate*, in the County of *Kent*. [21st May 1813.]

27 G. 3. c. 45.  
39 G. 3. c. ii.  
49 G. 3. c. cxvii.

Cap. lxxxiii.

An Act for paving, cleansing, lighting, watching and otherwise improving the Streets and other public Passages and Places in *Kidderminster*, in the County of *Worcester*. [21st May 1813.]

Cap. lxxxiv.

An Act for paving, lighting, watching and improving the Hamlet of *Poplar* and *Blackwall*, in the County of *Middlesex*; and for the better Relief and Maintenance of the Poor of the said Hamlet. [21st May 1813.]

Cap.

## Cap. lxxxv.

An Act for providing additional Burying Ground for the Parish of *Saint Mary Abbots Kensington*, in the County of *Middlesex*.  
[21st May 1813.]

## Cap. lxxxvi.

Sec 14 G. 3.  
c. 12.

An Act for building a Chapel of Ease for the Parish of *Clapham*, in the County of *Surry*.  
[21st May 1813.]

## Cap. lxxxvii.

An Act to amend an Act, passed in the Fifty first Year of His present Majesty, for erecting a Bridge over the River *Thames*, from the City of *London* to the opposite Bank in the Parish of *Saint Saviour*, in the County of *Surry*.  
[21st May 1813.]

51 G. 3. c. clxv.

§ 59.

WHEREAS by an Act, passed in the Fifty first Year of the Reign of His present Majesty, intituled *An Act for erecting a Bridge over the River Thames, from or near the Three Cranes, in the Parishes of Saint James Garlick Hythe, and Saint Martin Vintry, in the City of London, to the opposite Bank of the said River, in the Parish of Saint Saviour, in the County of Surry, and for making proper Streets and Avenues to communicate therewith*, it is, amongst other things, enacted, that nothing in the said Act contained should extend, or be construed to extend, to authorize and empower the Company of Proprietors, incorporated for the Purposes of the said Act, to take any Lands, Grounds, Houses, Tenements or Premises, for the Purposes of the said Act, or to proceed with the Works therein authorized to be made, until a sufficient Number of Subscribers should have been obtained who would undertake to raise the Sum of Three hundred thousand Pounds, such Subscription to be obtained within the Space of Eighteen Calendar Months from the passing of the said Act, to be proved to the Satisfaction of the Lord Mayor and Court of Aldermen of the City of *London*, or to the Justices of the Peace for the County of *Surry*, assembled at any General Quarter Sessions of the Peace to be holden in and for the said County, and to be subject to all the Provisoes and Enactments therein contained in respect of any or such Sum or Sums of Money mentioned in the said Act: And whereas many Persons have subscribed to the said Undertaking since the passing of the said Act, but, owing to the peculiar Exigencies of the Times, a sufficient Number of Subscribers have not yet been obtained who will undertake to raise the said Sum of Three hundred thousand Pounds, and the said Period of Eighteen Months expired on the Fifteenth Day of *December* One thousand eight hundred and twelve: And whereas the said Company of Proprietors conceive that they shall be enabled to obtain a sufficient Number of Subscribers who will undertake to raise the said Sum of Three hundred thousand Pounds, on being allowed further time for that Purpose, and it is expedient to amend the said recited 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 Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the

same, That the time for obtaining Subscriptions for raising the said Sum of Three hundred thousand Pounds shall be extended Eighteen Calendar Months from the Day of passing this Act, and that the said recited Act shall operate and be construed, and that all Clauses, Conditions, Powers, Provisoies and Directions therein contained, shall be and continue in full Force and Effect for such extended Period in such and the same or the like way and manner, to all Intents and Purposes, as if the said extended Period had been inserted in the said recited Act, instead of the said Space of Eighteen Calendar Months from the passing thereof.

Period for obtaining Subscriptions enlarged.

II. And be it further enacted, That the Piers and Abutments of the said intended Bridge shall be constructed and made in a substantial and workmanlike manner, according to the Principles of a Specification hereinafter mentioned; that is to say, the Ground on which the said Piers and Abutments shall be erected, shall be secured by driving Piles of sufficient Strength, Length and Number, with Two or more Courses of Timber (each Course being at least One Foot in Thickness), placed on the Tops of such Piles; and that the said Piles and Courses of Timber for securing the said Piers, shall extend not less than Five Feet in Length, and Five Feet in Breadth at every Part thereof beyond the Shaft and salient Angles of the said intended Piers, so as to cover a Space of Ground nearly Twice the Size of the same Pier at High Water Height; and that the Piles and Courses of Timber for securing the said Abutments, shall be sufficient to render the said Abutments perfectly secure, and to prevent the Possibility of their sinking or giving way; and that the same Piers and Abutments shall be constructed of solid Masonry, the Outside to be cased for at least Two Feet and One-half in Thickness, with *Dundee* Craigheith, or *Derbyshire* Stone, or other Stone of equal good Quality, and the Inside with *Whibby* or other Stone of a Quality equally good, without any Rubble-work either in the said Piers or in the solid Part of the said Abutments, but such Rubble-work may be used in the Wings or Land Arches, or the Abutments of the Wings or dry Arches.

How Piers and Abutments made.

III. And be it further enacted, That One Pier of the said intended Bridge shall be constructed and finished up to the Springing of the intended Arches, before the other Pier shall be begun, or any Preparation made in the River for that Purpose; and that when the said Pier is completed, the other shall be completed as aforesaid, so that only One of the said Piers shall be constructing at one and the same time, and that in like manner the Abutment of the said intended Bridge, on the *Surry* Side thereof, shall be constructed and completed up to the Springing of the Arch before that on the *London* Side is begun, and when and after the said last mentioned Abutment shall be completed, but not before, the Abutment of the said intended Bridge on the *London* Side thereof shall be constructed and built.

Piers erected One by One before the Abutments, first the *Surry* and afterwards the *London* Abutments.

IV. Provided always, and be it further enacted, That the said Company of Proprietors shall not proceed to place or fix, or to cause to be placed or fixed, any of the Iron Work on the said intended Piers and Abutments of the said intended Bridge, unless and until the said Piers and Abutments shall have been certified to be well and satisfactorily finished and completed according to the Specification hereinbefore contained, by *John Rennie*, Civil Engineer, or in case of his Death or Refusal to certify the same, by some

Piers and Abutments certified to have been properly executed before any of the Iron Works are placed on any of the Piers or Abutments.

Two Engineers, One of them to be appointed for that Purpose by the Lord Mayor, Aldermen and Commons of the City of *London*, in Common Council assembled, at the Request of the said Company of Proprietors, and the other by the said Company; and in case such Two Engineers shall not agree as to the making such Certificate, then by such Third Engineer, as shall be appointed by the Two first chosen.

Money applied  
to Construction  
of Bridge.

V. Provided always, and be it further enacted, That so soon as the Monies to be subscribed and raised for the Purposes of the said recited Act, and of this Act, shall amount to the Sum of Two hundred and fifty thousand Pounds, the same Sum of Two hundred and fifty thousand Pounds shall, after setting aside the Sum of Thirty thousand Pounds, Part thereof, be invested in the Three Pounds *per Centum* Consolidated Bank Annuities, in the Names of Sir *Charles Price* and Sir *William Curtis* Baronets; and of *George Holme Sumner*, *Samuel Thornton* and *William Mellish* Esquires; as by the said recited Act is directed, be appropriated and set apart for the Construction and Erection of the said intended Bridge, and no Part thereof shall be applied for improving, widening or making any Streets, Ways or Approaches, or any other the Purposes of this Act, until the said intended Bridge shall be in every respect finished and completed: Provided nevertheless, that any Monies subscribed and raised after the said Sum of Two hundred and fifty thousand Pounds shall have been appropriated as aforesaid, may be applied for any of the Purposes of the said recited Act, or this Act, in such a manner as the said Company of Proprietors shall think proper.

Provido.

If any Arch  
gives way, Cor-  
poration autho-  
rized to remove  
and sell the Iron  
and Materials  
which have  
given way.

VI. And be it further enacted, That in case at any time hereafter the Iron Arches of the said intended Bridge, or any of them, shall fall or give way, so as to obstruct or endanger the Navigation of the said River, then and in such case it shall be lawful for the said Mayor, Aldermen and Commons of the said City of *London*, in Common Council assembled, or their Agents, Servants or Workmen, to take away the said Iron Work and other Materials which shall have fallen or given way as aforesaid, and sell the same for their own Benefit, towards defraying the Expences of moving the same, and the Damages occasioned by, or by means of such Failure as aforesaid, unless the said Company of Proprietors shall forthwith, and with all due Diligence, take away the Iron Work and Materials which shall have so fallen or given way as aforesaid.

Compensation  
made for Loss of  
Rates and Taxes  
in Parish of  
Saint Martin's  
Vintry, and Saint  
James Garlick  
Hythe.

VII. Provided always, and be it further enacted, That the said Company of Proprietors, or Court of Directors, or their Treasurer or Treasurers for the time being, shall, and they are hereby authorized and required, by and out of the Monies to arise and be received by virtue of the said Act, to pay to the Collectors or Receivers of the Assessments for Land Tax and Poor's Rate, Consolidated Rate or Rate for paving, cleansing and lighting, Watch Rate, Sewer Rate and Trophy Tax within the Parishes of *Saint Martin Vintry*, and *Saint James Garlick Hythe* respectively, or the Ward of *Vintry*, in the City of *London*, all such Sums of Money as shall be deficient in the Produce of the said Assessments, Rates and Taxes, by reason of the taking down Houses and Buildings, or otherwise in consequence of the Alterations and Works authorized to be made by the said recited Act, according to the Produce

of



of the said several Assessments and Rates and Taxes respectively, from *Lady Day* One thousand eight hundred and twelve to *Lady Day* One thousand eight hundred and thirteen; and they, the said Collectors or Receivers, may, and they are hereby authorized and empowered, from time to time, as often as the said Assessments, Rates and Taxes shall be made and allowed, or become payable, to demand, recover and receive the same of and from the said Company of Proprietors, or Court of Directors, or their Treasurer or Treasurers for the time being, as an Equivalent in lieu of such Assessments, Rates and Taxes as aforesaid: *Provided* also, that when and so soon as a sufficient Number of Houses shall be erected and built by virtue of the said recited Act, and shall be rated, or become liable to the Payment of the said Assessments, Rates and Taxes, and the Rates, Taxes and Assessments thereof shall amount to as much Money as the Deficiencies aforesaid, that then and from thenceforth, the Equivalent above mentioned and directed to be paid by the said Company of Proprietors, or Court of Directors, or their Treasurer or Treasurers for the time being, to the said respective Commissioners and their Successors, and to the said respective Collectors or Receivers as aforesaid, shall cease, and be no longer payable; and that when and so soon as any such House or Houses shall be built, and the Assessments, Rates and Taxes thereon shall not be sufficient to answer the said Equivalent, that then the said respective Collectors or Receivers shall allow and give Credit to the said Company of Proprietors or Court of Directors, or their Treasurer or Treasurers for the time being, for so much Money as shall be received in respect of the said several Assessments, Rates and Taxes, from the Owners and Occupiers of such House or Houses in discharge of the said Equivalent, as far as the same will extend, they the said Company of Proprietors, or Court of Directors, or their Treasurer or Treasurers for the time being, paying, and being liable to pay, the Remainder of the said Equivalent; and in case any Difference or Dispute shall arise with respect to the Amount of the Equivalent to be paid as aforesaid, by the said Company of Proprietors, or Court of Directors, or their Treasurer or Treasurers for the time being, the same shall be settled and adjusted by any Two or more of the Aldermen of the City of *London*, whose Adjustment and Determination shall be binding and conclusive on all Parties concerned.

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

*Cap. lxxxviii.*

An Act to continue Three Acts made in the Fifteenth and Thirty first Years of the Reign of His late Majesty King *George* the Second; and in the Thirty first Year of the Reign of His present Majesty, laying a Duty of Two Pennies *Scots*, or One sixth Part of a Penny Sterling, upon every *Scots* Pint of Ale and Beer, which shall be brewed for Sale, brought into, tapped or sold within the Town of *Kirkcaldy* and Liberties thereof. (c) [21st May 1813.]

25 G. 2. c. 8.

31 G. 2. c. 69.

31 G. 3. c. 82.

## Cap. lxxxix.

- 32 G. 3. c. 129. An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from *Peterborough* to *Thorney*, in the *Iffe of Ely*, in the County of Cambridge. (a)  
[21<sup>st</sup> May 1813.]  
[Additional Trustees. Former Tolls to cease; new Tolls granted.]

## Cap. xc.

- 7 G. 3. c. 88.  
31 G. 3. c. 124.  
35 G. 3. c. 134. An Act to alter and enlarge the Powers of Three Acts 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 Road to *Colnbrook*, and several other Roads in the said County, so far as the same relate to the *New District* of Road therein described. [21<sup>st</sup> May 1813.]  
[Former Tolls to cease, new Tolls granted. Half additional Tolls in certain cases. Double Tolls on Sunday. For Term under former Acts.]

## Cap. xci.

- 32 G. 3. c. 145. An Act to continue the Term and enlarge the Powers of an Act of His present Majesty, for repairing the Road from *Cornhill Burn* to *Milfield March Burn*, and by *Ford Bridge* to *Lowick*, and other Roads in the said Act mentioned, in the Counties of *Northumberland* and *Durham*; and for making Two new Branches of Road to communicate therewith. (c)  
[21<sup>st</sup> May 1813.]  
[Additional Trustees.]

## Cap. xcii.

- An Act for amending the Roads and Highways in the *Iffe of Wigbt*. (a)  
[21<sup>st</sup> May 1813.]  
[Double Tolls on Sunday.]

## Cap. xciii.

- 30 G. 2. c. 43.  
9 G. 3. c. 87.  
39 G. 3. c. 115. An Act for continuing and amending Three Acts of His late and present Majesty, for repairing the Road from *Hitchin* to *Bedford*, and the Roads branching therefrom, through *Henlow* to *Gerford Bridge* and to *Arlesey*, in the Counties of *Hertford* and *Bedford*. (b)  
[21<sup>st</sup> May 1813.]  
[Former Tolls to cease, new Tolls granted.]

## Cap. xciv.

- 30 G. 3. c. 94. An Act for enlarging the Term and Powers of an Act of His present Majesty, for more effectually repairing the Road from *Stump Cross* to *Newmarket Heath*, and other Roads therein mentioned, in the County of *Cambridge*; and for empowering the Trustees to erect a Weighing Engine near to the said Road. (b)  
[21<sup>st</sup> May 1813.]  
[Additional Trustees. Former Tolls to cease, new Tolls granted. Double Tolls on Sunday.]

Cap.

## Cap. xcv.

An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from *Downham Market* to the *Queen's Head*, and from the *Chequer Inn* in *Downham Market* to the *Two Mile Clofe*, in the Parish of *Barton*, in the County of *Norfolk*. (c.) [21st May 1813.]

12 G. 3. c. 98.  
32 G. 3. c. 158.

## Cap. xcvi.

An Act for inclosing Lands in the Parish of *Steeple Ashton*, in the County of *Wilts*. (q. P.) [21st May 1813.]

## Cap. xcvi.

An Act for vesting Part of the Estates, settled by the Will of *Thomas Riddell* Esquire, deceased, in Trustees, to be sold; and for applying the Money by such Sale arising, in the Discharge of Incumbrances affecting the same; and for investing the Residue of such Money in the Purchase of other Estates in the County of *Northumberland*, to be settled to the same Uses. (q. P.) [21st May 1813.]

## Cap. xcvi.

An Act for enabling the Principal and Scholars of *Brazen Nose College, Oxford*, to sell the Manor and Farm of *Gennings Court, Kent*, to *Sir John Gregory Shaw*, Baronet, and to apply the Money thence arising in the Purchase of other Estates, to be settled to the same Uses. (q. P.) [21st May 1813.]

## Cap. xcix.

An Act for vesting the Settled Estates of *Robert Holden* Esquires situate in the County of *York*, and *Normanton*, in the County of *Nottingham*, in Trust to be sold, and for laying out the Purchase Money in other Estates, to be settled to the same Uses. (q. P.) [21st May 1813.]

## Cap. c.

An Act for vesting certain Estates in the County of *Westmorland* in *James Adam* Esquire, discharged of the Uses of the Will of the Reverend *James Barker*, deceased; and for settling other Estates in lieu thereof; and for other Purposes. (q. P.) [21st May 1813.]

## Cap. ci.

An Act for inclosing Lands in the Manor of *Tburgoland*, in the County of *York*. (q. P.) [21st May 1813.]

## Cap. cii.

An Act for inclosing Lands in the Parish of *Upbill*, in the County of *Somerset*. (q. P.) [21st May 1813.]

## Cap. ciii.

An Act for inclosing Lands in the Parish of *Buckden*, in the County of *Huntington*. (q. P.) [21st May 1813.]

44 Allotments and Compensations for Tithes, § 22, 23, 26, 27.

*Cap. civ.*

An Act for inclosing Lands in the Manor and Township of *Wike*, in the County of *York*. (q. P.) [21st May 1813.]

*Cap. cv.*

7 G. 3. c. 88.  
PR.

An Act for repealing an Act passed in the Seventh Year of the Reign of His present Majesty, intituled *An Act for dividing and inclosing the Open Commons in the Manor of Shap, in the County of Westmorland*; and for granting other Powers for dividing, allotting and inclosing the said Lands and Grounds. (q. P.)

[21st May 1813.]

“ Allotments and Compensations for Tithes, § 19. 23, 24.

*Cap. cvi.*

An Act for inclosing, and exonerating from Tithes, Lands in the Parish of *Stukeley*, in the County of *Huntingdon*. (q. P.)

[21st May 1813.]

“ No Lease of Lands by the Rector of *King's Ripton*, without Consent of His Majesty as Patron of the Rectory, § 31.

*Cap. cvii.*

An Act for inclosing Lands in the Parish of *Waterbeach*, in the County of *Cambridge*. (q. P.)

[21st May 1813.]

“ Allotments and Compensations for Tithes, § 19.

*Cap. cviii.*

An Act for inclosing Lands in the Parish of *Elvetbam*, in the County of *Southampton*. (q. P.)

[21st May 1813.]

*Cap. cix.*

An Act for inclosing Lands within the Townships of *Whittington* and *Newton* with *Docker*, in the Parish of *Whittington*, in the County Palatine of *Lancaster*. (q. P.)

[21st May 1813.]

*Cap. cx.*

An Act to provide for the Distribution, Payment and Application of certain Monies and Effects, refunded or paid, or to be refunded or paid, by or on Behalf of the Government of *Sweden*, among the Persons having Claims thereon in consequence of certain Detentions, Sequestrations and Condemnations by that Government, in the Years One thousand eight hundred and ten, One thousand eight hundred and eleven and One thousand eight hundred and twelve.

[3d June 1813.]

“ **W**HEREAS divers Cargoes, Goods, Wares and Merchandizes, and other Property, were, some time in or about the Years One thousand eight hundred and ten, One thousand eight hundred and eleven and One thousand eight hundred and twelve, sequestrated, condemned or otherwise detained, in some Ports or Places in the Dominions or within the Jurisdiction of the King of *Sweden*: And whereas at certain Meetings of the Persons who have sustained Losses in consequence of such Sequestrations, De-

tentions

' tentions and Condemnations, held in the City of *London*, on the  
 ' Second Day of *August*, and the Twenty ninth Day of *November*  
 ' One thousand eight hundred and eleven, *John Atkins* the elder,  
 ' *Thomas Wilson*, *George Wood*, *Thomas Rowcroft*, *John Anthony*  
 ' *Rucker* and *Philip Frederick Behrends*, all of the City of *Lon-*  
 ' *don*, Merchants, were chosen as a Committee to act on Behalf of  
 ' all the Parties interested, for the Purpose of endeavouring to ob-  
 ' tain the Restoration of such Property, or some Compensation in  
 ' respect thereof, or otherwise to act as it should seem to them  
 ' expedient in relation to such Property, and also to appoint  
 ' Attornies or Agents to proceed to *Sweden* for the Purpose of  
 ' negotiating and entering into Arrangements with the *Swedish* Go-  
 ' vernment, or otherwise as might be deemed advisable for the Parties  
 ' interested in the said Property; and the said Committee did, with  
 ' the Concurrence and Permission of His Majesty's Government,  
 ' sometime in or about the Month of *December* One thousand eight  
 ' hundred and eleven, duly empower *Isaac Aldebert* and *John Atkins*  
 ' the younger, of the City of *London*, Merchants, to proceed to  
 ' *Sweden* for the Purposes aforesaid; and the said *Isaac Aldebert* and  
 ' *John Atkins* the younger did accordingly proceed to *Sweden*, and  
 ' enter into Negotiation with the *Swedish* Government in respect of  
 ' the Matters so entrusted to their Charge as aforesaid; and in  
 ' or about the Month of *March* One thousand eight hundred and  
 ' twelve, the said *John Atkins* the younger returned to this Country,  
 ' and reported to the said Committee the Result of such Negotia-  
 ' tions: And whereas a great Number of Merchants and Under-  
 ' writers and other Persons interested in the said Property, did, by  
 ' an Instrument under their Hands and Seals, duly appoint the said  
 ' *Isaac Aldebert* and *John Atkins* the younger, jointly on Behalf of  
 ' all the Parties interested in the said Property, to act as Attornies  
 ' or Commercial Agents respecting the Premises, and in such Char-  
 ' acter or otherwise as might be requisite to enter into and con-  
 ' clude any Agreement or Treaty with the Government of the  
 ' Kingdom of *Sweden* or Officers of the same, or Persons acting on  
 ' Behalf thereof, for the Liberation or Restitution of all or any of  
 ' the Property detained, sequestrated or condemned as aforesaid, or  
 ' in respect of any Payment, Compensation or Remuneration on ac-  
 ' count thereof, or to make any other Arrangements respecting the  
 ' Premises, and to do all such Acts as might be requisite for perfect-  
 ' ing the same: And Whereas the said *Isaac Aldebert* and *John*  
 ' *Atkins* the younger have, under and by virtue or in pursuance of  
 ' such Power and Authority as aforesaid, entered into an Agreement  
 ' or Arrangement with the Government of the Kingdom of *Sweden*,  
 ' for the Restitution of the said Property, or the Proceeds thereof,  
 ' or some Parts thereof, or for some Compensation respecting the  
 ' same: And Whereas in pursuance of such Agreement or Arrange-  
 ' ment a considerable Sum of Money hath been received by the  
 ' said *Isaac Aldebert* and *John Atkins* the younger, as such Agents  
 ' as aforesaid, and by them remitted to *London*; and the said *Isaac*  
 ' *Aldebert* and *John Atkins* the younger are expected shortly to re-  
 ' ceive further Sums of Money on account of the Property and  
 ' Effects sequestrated, detained or condemned, as hereinbefore men-  
 ' tioned: And Whereas a great Number of the Persons claiming to

' be interested in the Monies received and to be received under such  
 ' Arrangement or Negotiation, being desirous that the said *John*  
 ' *Atkins* the elder, *Robert Shedden* the elder of the City of *London*,  
 ' Merchant, and the said *Thomas Wilson*, *John Anthony Rucker* and  
 ' *Thomas Rowcroft*, should be appointed Commissioners or Trustees  
 ' for the Payment and Distribution of such Monies, the Sum of  
 ' Ninety thousand Pounds and upwards (the Monies already remitted  
 ' as aforesaid) hath been paid to them, and by them invested in Exche-  
 ' quer Bills: And Whereas it is expedient, in order to provide for  
 ' the due Payment and Application of the Monies received and to be  
 ' received as aforesaid, and for investigating, ascertaining and deciding  
 ' on the Origin, Justice and Amount of the several and respective  
 ' Claims to be made on the Monies and Property received and to be  
 ' received as aforesaid, and the Rights and Interests of all Parties  
 ' therein, and for the Safety and Indemnity of the Persons distri-  
 ' buting or applying the said Sums and Funds, that certain Persons  
 ' should be appointed as Referees, and that the said Referees, and  
 ' also the said Commissioners or Trustees, should have such respec-  
 ' tive Powers and Authorities, and should take such Oaths for the  
 ' faithful Discharge thereof as hereinafter in those respective Behalves  
 ' expressed and contained, and that the said Funds should be pro-  
 ' tected against Forgery, and that the several other Provisions and  
 ' Regulations hereinafter expressed should be made in relation thereto ;  
 ' but inasmuch as the several Purposes hereinbefore mentioned or  
 ' referred to, cannot be effectually accomplished without the Autho-  
 ' rity of Parliament : 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 the said *John Atkins* the  
 ' elder, *Robert Shedden*, *Thomas Wilson*, *John Anthony Rucker* and  
 ' *Thomas Rowcroft*, and their Successors to be appointed as hereinafter  
 ' mentioned, shall be and are hereby constituted and appointed Commis-  
 ' sioners for the Receipt, Payment, Division and Distribution of the  
 ' Monies, Bills, Effects and Property received and to be received by or  
 ' from the *Swedish* Government, or any Agents thereof, in respect of  
 ' the Matters aforesaid ; and that *James Campbell*, of the City of  
 ' *London*, Merchant, the said *George Wood* and *William Hutchins*,  
 ' *Henry Septimus Hyde Wollaston*, *James Bowden* and *William Silas*  
 ' *Hatharway*, also of the City of *London*, Merchants, and their Suc-  
 ' cessors, to be appointed in manner hereinafter mentioned, shall be  
 ' and they are hereby constituted and appointed Referees for the In-  
 ' vestigation of the Origin, Justice and Amount of the Claims to be  
 ' made on the said Monies and Property received or to be received as  
 ' aforesaid in manner hereinafter expressed.

Appointment of  
Commissioners.

Appointment of  
Referees.

Oath taken by  
Commissioners  
and Referees.

. II. And be it further enacted, That some Two of the Persons who  
 are hereby appointed as Commissioners, or as Referees, or one of the  
 said Persons appointed Commissioners, and one of the said Persons  
 appointed Referees, shall before they enter upon the Execution of  
 such Offices, respectively take an Oath before the Master of the  
 Rolls for the time being, or one of His Majesty's Justices of the  
 Court of King's Bench or Common Pleas, or Barons of the Exche-  
 quer, or the Lord Mayor of the City of *London* for the time being,

(which Oath they or any of them respectively are and is hereby authorized and required to administer) the Tenor whereof shall be as followeth; that is to say,

‘ I do swear, that according to the best of my Oath.  
 Judgment I will faithfully and impartially execute the several  
 Tufts, Powers and Authorities of a Commissioner [or Referee  
 as the case may require] under and by virtue of an Act of Parliament  
 made and passed in the Fifty third Year of the Reign of His  
 Majesty King George the Third, intituled *An Act* [insert the Title  
 of this Act], according to the Tenor and Purport of the said Act.’

And every other of the said Commissioners and Referees in this Act named shall likewise take the same Oath before the said Two Persons, who are hereby authorized and empowered to administer the same, after they shall themselves have taken the said Oath as aforesaid.

III. And be it further enacted, That if any or either of them the said Commissioners hereby appointed, or of the Commissioners or Referees to be appointed under this present Provision, shall die, or be desirous of being discharged from the said Office, Duty or Trust of a Commissioner, or go to reside beyond the Seas, or refuse or become incapable, or decline to act further in such Trusts, Powers and Authorities, before the same shall be fully executed and performed, then and immediately on the happening of every such case, the other Persons who shall then be Commissioners by virtue of this Act, or the major Part of such Persons, shall and they are hereby required forthwith, by Writing under their Hands and Seals, to nominate and appoint any fit Person or Persons to supply the Place or Places of the Commissioner or Commissioners so dying, desiring to be discharged, or going to reside beyond the Seas, or refusing or becoming incapable, or declining to act as aforesaid; and immediately after every such Appointment of a Commissioner or Commissioners shall have been so made, all the said Monies, Bills, Effects and Property, which under and by virtue or in pursuance of this Act shall then be subject to the Trusts and Provisions of this Act, shall immediately become vested in such new Commissioner or Commissioners jointly with the remaining, surviving or continuing Commissioner or Commissioners, upon the Trusts and for the Purposes of this Act, or such of them as shall then remain to be performed; and that if any or either of them the said Referees hereby appointed, or if the Referees to be appointed under this present Provision, shall die, or be desirous of being discharged from the said Office, Duty or Trust of a Referee, or go to reside beyond the Seas, or refuse or become incapable, or decline to act further in such Trusts, Powers and Authorities, before the same shall be fully executed and performed, then and immediately on the happening of every such case, the other Person or Persons who shall then be Referee or Referees by virtue of this Act, or the major Part of them, shall, and he and they is and are hereby required forthwith, by Writing under his or their Hand and Seal, or Hands and Seals to nominate and appoint any fit Person or Persons to supply the Place or Places of the Referee or Referees so dying, desiring to be discharged, or going to reside beyond the Seas, or refusing or becoming incapable, or declining to act as aforesaid; and immediately after every such Appointment of a  
 new

New Commis-  
 sioners and Re-  
 ferees appointed  
 in case of Death,  
 &c.

new Commissioner or Commissioners, Referee or Referees, shall be so made as aforesaid, every such new Commissioner and Referee shall have and may exercise all the same or the like Powers, Privileges and Authorities whatsoever, as if he had been appointed a Commissioner or Referee by this Act, and as if his Name had been expressly inserted in this Act: Provided nevertheless, that no such Person shall be competent to act as such Commissioner or Referee as aforesaid, until he shall have taken the Oath hereinbefore prescribed, before Two of the Persons who shall then be Commissioners or Referees, or One of the then Commissioners, or One of the then Referees who shall have previously taken the said Oath, and which Oath they are hereby authorized and required to administer to every such new Commissioner and Referee accordingly.

Provided,

Three Commissioners or Referees may act.

IV. And be it further enacted, That any Three of the Commissioners for the time being, and any Three of the Referees for the time being respectively, shall have full Power and Authority to act, do and perform all Matters and Things whatsoever which by this Act are entrusted and required to be done by the said Commissioners and Referees respectively; and that all Acts, Deeds, Matters and Things, done, executed or performed by Three of the said Commissioners, shall be as valid and effectual as if the same had been done by all the said Commissioners; and all Acts, Matters and Things done, executed and performed by Three of the said Referees shall be as valid and effectual as if the same had been done by all the said Referees.

Monies, &c. remitted and to be remitted, vested in Commissioners.

V. And be it further enacted, That the said Sum of Ninety thousand Pounds so invested in Exchequer Bills as aforesaid, and the said Exchequer Bills, and all other Securities for the same, and all other Monies, Bills, Effects and Property whatsoever already received or obtained, or hereafter to be received or obtained by the said *Isaac Aldebert* and *John Atkins* the younger, or either of them, or by any other Person or Persons, of or from the *Swedish* Government or the Officers thereof, or otherwise, in respect of the Cargoes, Merchandizes, Effects and Property so sequestrated, detained or condemned as aforesaid, under or by virtue of the said Agreement or Arrangement with the *Swedish* Government, or any other Agreement or Arrangement with the *Swedish* Government, on account of such Sequestrations, Detentions and Condemnations as aforesaid, shall, from and immediately after the passing of this Act, be and become the Property of, and the same are hereby vested in, the said Commissioners and their Successors to be appointed as aforesaid, discharged of and from all Claims, Rights and Interests whatsoever, of or by any Person or Persons, Body or Bodies Politic or Corporate whatsoever; but nevertheless for the Purposes and upon the Trusts of this Act; and all such Monies, Bills, Effects and Property to be received or obtained by the said *Isaac Aldebert* and *John Atkins* the younger, or such other Person or Persons as aforesaid, shall be deemed and taken in Law to be had and received to the Use of the said Commissioners and their Successors, upon the Trusts and for the Purposes of this Act.

Saving the Rights of *Isaac Aldebert* and *John Atkins* Junior.

VI. Provided always, and be it further enacted, That nothing in this Act contained, shall be construed, deemed or taken to prejudice, destroy, defeat, bar or take away any Claim or Demand whatsoever which the said *Isaac Aldebert* and *John Atkins* the younger, or either of them, or either of their Executors and Administrators

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now or at any time hereafter have or shall or might otherwise have, claim or be entitled to, for or by Reason or Means or in consequence of their or any of their past or future Services, Trouble, Attendance, Assistance and Disbursements, touching or concerning all or any of the Monies and Property hereby vested in the said Commissioners, or otherwise relating to all or any of the Matters and Things mentioned in this Act, by virtue of any express or implied Undertaking or Agreement, or any Custom or Usage of Trade or Commerce, Rule of Law or Equity, or otherwise howsoever.

VII. And be it further enacted, That the Receipt and Receipts of the said Commissioners for the time being, shall fully and effectually discharge the said *Isaac Aldebert* and *John Atkins* the younger, or the Persons or Person from whom the Money, Effects or Property for which each such Receipt shall be given shall therein be mentioned to have been received, of and from all such Sums of Money, Effects or Property as shall in every such Receipt respectively be acknowledged or expressed to be received; and that the Direction and Directions in Writing of the said Commissioners for the time being under their Hands, shall be a sufficient Warrant and Authority for the said *Isaac Aldebert* and *John Atkins* the younger, or such other Persons or Person as the same may concern, to pay, deliver, make over, remit or otherwise apply, in such manner as shall be therein mentioned, such Monies, Bills, Effects and Property received or to be received by the said *Isaac Aldebert* and *John Atkins* the younger, their Executors or Administrators, or any or either of them, or any other Person or Persons, by virtue of the said Agreement or Arrangement with the Government of the Kingdom of Sweden, or the Officers thereof or otherwise in respect of the Premises, as shall be respectively mentioned in such Directions or Direction; and that when the said *Isaac Aldebert* and *John Atkins* the younger, or any other Person or Persons as aforesaid, shall have paid, delivered or remitted any such Monies, Bills, Effects and Property, to or to the Order of, or otherwise applied the same according to the Direction of the said Commissioners, under their Hands as aforesaid, they the said *Isaac Aldebert* and *John Atkins* the younger, or their Executors or Administrators, or other such Person or Persons as aforesaid, shall be and is and are hereby released, exonerated and discharged of and from all responsibility or liability in respect of such Monies, Bills, Effects or Property, and shall not, after having paid, remitted or applied the same as aforesaid, be liable to any Claim on account thereof, or bound to see to the Application thereof, or be answerable or accountable for the Misapplication or Nonapplication of the same.

Receipts of  
Commissioners  
valid Discharges.

VIII. Provided always, and be it further enacted, That the Power hereby given to the said Commissioners shall not revoke, or in any respect abridge or controul the Powers and Authorities hereinbefore mentioned to have been granted to and vested in the said *Isaac Aldebert* and *John Atkins* the younger, except so far as such Powers and Authorities are incompatible; but nevertheless, that the said Powers or Authorities given to the said *Isaac Aldebert* and *John Atkins* the younger as aforesaid shall be revocable by the said Commissioners.

Act not to re-  
voke Power of  
Attorney.

IX. And be it further enacted, That the Referees for the time being do and shall and they are hereby required, within Twenty eight

Referees to call  
on Claimants

for Vouchers,  
&c.

eight Days next after the passing of this Act, to cause Notice to be given by Advertisement in the *London Gazette*, for all Persons, Bodies Politic and Corporate, claiming any Interest in the said Monies, Bills, Effects and Property hereby vested in the said Commissioners, to deliver to them the said Referees for the time being, or as they may require, Statements and Accounts in Writing of the respective Losses sustained by them or those under whom they respectively claim, in consequence or by reason of the said Sequestrations, Detentions or Condemnations, and of all their respective Claims to Restitution or Compensation in respect of such Losses, out of the Monies, Effects and Property hereby vested in the said Commissioners, and also to shew or deliver as aforesaid all or any Invoices, Bills of Lading, Policies of Insurance, Bills of Parcels, Vouchers, Documents, Papers and Writings whatsoever, which may by such Referees be thought necessary to prove and substantiate such Losses and Claims; and when the Amount of any such Claim or Claims shall be substantiated and ascertained to the Satisfaction of the said Referees, they are hereby required to deliver to every Person, Body Politic or Corporate, whose Claim shall be so substantiated and ascertained, or to his or her Executors, Administrators or Successors, a Certificate in Writing, in such Form as to the said Referees shall seem proper, of the Amount for which each such Person, Body Politic or Corporate is entitled to claim, and also a Duplicate of such Certificate, the said Certificate and Duplicate to be respectively signed by the said Referees; and upon the Receipt of every such Certificate, the Person, Body Politic or Corporate receiving the same, is directed and required, within Fourteen Days from the Receipt thereof, to deliver to and deposit with the said Commissioners, or One of them, or their Clerk or Agent, one Part of every such Certificate, and to retain the other Part thereof in his or their own Custody; and when any Dividend or Distribution of the Monies, Bills, Effects and Property hereby vested in the said Commissioners, shall be made as hereinafter mentioned, the Person, Body Politic or Corporate holding any such Duplicate Certificate, shall be entitled to receive of and from the said Commissioners a just and rateable Proportion, by way of Dividend or Share, of the said Trust Fund, according to the Amount expressed in every such Certificate as aforesaid, when compared with the total Amount expressed in all the Certificates to be granted under this present Clause or Provision.

When Amount of Claims ascertained, Referees to give Certificate, &c.

On receiving Certificates within Fourteen Days from Receipt, to lodge one Part with Commissioners. When Dividend made, holder of Duplicate entitled to receive same.

Certificates of Claimants under Disabilities granted to Trustees.

X. Provided always, and be it further enacted, That in all cases where any Claim shall be made by or on Behalf of any Person being under any Disability of Infancy or Coverture, or who shall be an Idiot or *non compos mentis*, or shall be in Parts beyond the Seas, or where the Monies which would be receivable under any Claim shall be subject to any Trust, Contingency or Limitation whatsoever, which may render it impracticable or inconvenient to procure an effectual and available Release or Discharge for the same, and generally in all cases where it shall, in the Judgment of the said Referees, be impracticable or inconvenient to procure an effectual or available Discharge for the same, it shall be lawful for the said Referees, and they are hereby required, in every such case, to give or grant the Certificate and Duplicate Certificate of every such Claim as aforesaid, when the same shall have been substantiated in manner aforesaid, to and in the Name or Names of One or more Trustee or Trustees for the

the Person or Persons entitled thereto, such Trustee or Trustees to be approved by the said Referees; and every such Certificate to be granted as last aforesaid, shall be of the like Force and Effect for discharging the said Commissioners, and for all other the Purposes of this Act, as the Certificates to be granted under the Clause or Provision lastly hereinbefore contained.

XI. And be it further enacted, That it shall and may be lawful for the Referees for the time being, as often as they shall think proper, by Writing to be signed by them, to require the said Commissioners to make out and deliver to them the said Referees upon Oath (which Oath the said Referees are hereby authorized and empowered to administer), a Statement or Account of all Monies and Sums of Money, Bills, Effects and Property received or possessed by them the said Commissioners, or any or either of them respectively, or any Person or Persons by their Order or for their Use, or by the Order or for the Use of any or either of them respectively under or by virtue of this Act or otherwise, in respect of the said Trust Property and of their Disposition and Application thereof, and of the Costs, Charges and Expences, Payments, Disbursements and Sums of Money claimed by them and each of them respectively, to be allowed to them as such Commissioners out of the said Trust Funds, and also a List or Statement of all the Certificates lodged as hereinbefore directed, and the Orders for Reservations to be deposited with the said Commissioners under the Provision hereinafter contained, up to the Day of the Date of such Notice, or any other Day therein to be mentioned, in order to shew the Amount of the said Trust Funds then in the Hands of the said Commissioners, and of the several Claims thereon; and thereupon it shall and may be lawful for the said Referees for the time being, by an Order or Warrant in Writing to be signed by them or any Three or more of them, directed and delivered to the said Commissioners, or left at their respective Offices or Dwelling Houses, to order and direct the said Commissioners, within a time to be therein mentioned, to pay and divide unto each of the Persons, Bodies Politic and Corporate, who shall have deposited with the said Commissioners, on or before a certain Day in the said Order or Warrant to be mentioned, the Certificate or Acknowledgment of the Amount of his, her or their Claim in manner hereinbefore directed, such a Dividend or Share of the said Trust Fund, in proportion to the several and respective Claims allowed, as they the said Referees shall think proper; and such Order or Warrant in Writing, and the respective Certificate or Certificates which shall have been so deposited with the said Commissioners as aforesaid, on or before the Day mentioned in the said Order or Warrant, shall be a sufficient Authority for the said Commissioners to pay to every Person, Bodies Politic or Corporate, to whom any such Certificate shall have been granted as aforesaid, either in his or their own Right, or as such Trustee or Trustees as aforesaid, and to his or their Executors, Administrators, Successors or Assigns, the respective Dividends or Dividend payable in respect thereof; and the respective Receipts or Receipt of every such Person, Body Politic or Corporate, their or his Executors, Administrators, Successors or Assigns, or of some Officer or Agent of such Body Politic or Corporate, together with such respective Certificates or Certificate, shall be a sufficient Discharge to the said Commissioners for the respective Sums or Sum of Money paid by them or him in obedience to such Order or Warrant, and

Referees authorized, as often as they think proper, to call on Commissioners for an Account on Oath of Money in Hand, and Certificates lodged;

and thereupon Referees to order what Dividend shall be made.

Production of Certificate and Receipt of Person holding it, sufficient Discharge to Commissioners.

and in such respective Receipts or Receipt acknowledged to have been received, without any Liability in the said Commissioners to enquire into or to be accountable for the Application, Non-application or Misapplication of the Monies to be paid to any such Trustee or Trustees.

Parties not attending and substantiating Claims within Twenty eight Days after Notice, excluded from next Dividend.

XII. Provided always, and be it further enacted, That every Claimant on the said Monies, Effects and Property vested in the said Commissioners as aforesaid, and the Executors, Administrators or Assigns of every such Claimant, who shall not after being thereunto required by the Referees for the time being, or their Agent, by a Notice in Writing under the Hands of the said Referees for the time being, or their Agent, and delivered to the same Claimant, or his or her Executors or Administrators, or left at his, her or their Dwelling House, Office or Counting House, Twenty eight Days at least before the time of Meeting therein to be mentioned, or by a Notice by or on Behalf of the said Referees or their Agent, to be inserted in the *London Gazette* on a Day at least Twenty eight Days before the time of such Meeting, and specifying the Day, Hour and Place of such Meeting, attend either in Person or by some Agent, before the said Referees for the time being, at the Time and Place of Meeting therein to be mentioned and appointed, and then and there either substantiate his, her or their Claims upon the said Trust Fund, to the Satisfaction of the said Referees, or shew some good Cause to the said Referees for the Default in not substantiating the same, or for not attending, shall (unless the contrary shall be expressly directed by the said Referees for the time being) be excluded from the Benefit of the Dividend or Distribution which shall be made of the said Trust Fund next after such Meeting; and the same Dividend or Distribution may be made, without Reference to a Consideration of the Claim of every such Party, his or her Executors, Administrators or Assigns; but if there shall be more than One Dividend or Distribution of the said Trust Fund, and any Claimant, his or her Executors, Administrators or Assigns, shall be excluded from the Benefit of any preceding Dividend or Dividends in manner lastly hereinbefore mentioned, he, she or they, notwithstanding such Exclusion, shall at the then next Dividend which shall be ordered after he, she or they shall have respectively obtained and deposited with the said Commissioners such Certificate as aforesaid, and before any further Dividend or Distribution of the said Trust Fund, be entitled to receive the Amount of the former Dividends or Dividend, in proportion to their respective Claims to be allowed as aforesaid, so as to bring them up *pari passu*, and place them in an equal Situation in all respects with the Persons who shall have received such former Dividends, in the same manner as near as may be as if they had substantiated the same Claims previous to the first or other subsequent Dividend, except and unless the said Referees for the time being, or some Three or more of them, shall by Writing under their Hands otherwise order and direct, and they are hereby empowered to order the contrary.

If more than One Dividend, such Party paid further Dividends.

Dividends of Parties not substantiating Claims previous to First Dividend, reserved by Commi-

XIII. And be it further enacted, That as often as it shall happen that any Claim upon the said Trust Fund shall not, previous to any Dividend or Distribution thereof, be substantiated to the Satisfaction of the said Referees, it shall be lawful for the said Referees, if they shall think proper, by Writing under their Hands, to be deposited with the Commissioners for the time being, in such manner as hereinbefore

before directed touching the Certificates of Claims allowed, to authorize and direct the said Commissioners to reserve out of the Trust Fund, at the then next and every subsequent Dividend, a sufficient Sum to answer and pay the Dividend upon such Claim, when the same shall be substantiated as aforesaid; and the said Referees shall and may afterwards, upon such Claim being substantiated as aforesaid, give such Certificate and Acknowledgment as aforesaid to the Person or Persons, Bodies Politic or Corporate by whom such Claim shall be made as aforesaid, and he and they respectively shall by virtue of such Certificate be entitled to receive the Amount of the Dividends due to him, her or them thereon, out of the Monies so reserved, or (if the same shall be insufficient) at the then next Distribution which shall be ordered of the said Trust Fund after such Certificate shall have been deposited with the said Commissioners.

Referees, if Referees think fit.

XIV. Provided nevertheless, and be it further enacted, That it shall and may be lawful for the said Referees, by Writing under their Hands to be delivered to every Party for whom any such Reservation shall have been made as aforesaid, or to his, her or their Executors or Administrators, or to be left at the Dwelling House, Counting House, or Office of each and every such Party, Fourteen Days at least before the time of Meeting therein to be mentioned, to call upon every such Party, his, her or their Executors or Administrators, to attend either personally, or by his, her or their Agent or Agents before the said Referees, at the Time and Place of Meeting therein mentioned and appointed, and then and there substantiate his, her or their Claim or respective Claims; and in Default thereof, then it shall or may be lawful for the said Referees, unless they shall see good Cause to the contrary, by Order or Warrant under their Hands, to direct that the Dividends or Share of the said Trust Fund which shall have been reserved to answer the unsubstantiated Claim or Claims of every such Party as aforesaid, shall be thrown into and become Part of the general Trust Funds, and be divided between and among the Parties substantiating their Claims, according to the Intent and Meaning of this Act.

Referees may order such Reservations to be divided.

XV. Provided always, and be it further enacted, That no Person or Persons, Body or Bodies Politic or Corporate, shall have or be entitled to any Share, Right, Interest, Claim or Demand whatsoever, of, in, or to the Monies, Bills, Property and Effects hereby vested in the said Commissioners, except such Claims as shall be so substantiated and allowed, and for which such Certificates shall be given as aforesaid; and that no Certificate or Certificates shall be given or granted, allowing any Claim or Claims, unless such Claim or Claims shall have been submitted for the Consideration of the said Referees on or before the Thirteenth Day of *June* One thousand eight hundred and fifteen.

No Demands made, except upon Certificate,

XVI. And be it further enacted, That it shall and may be lawful for the said Referees for the time being, if to them it shall appear necessary, in investigating the Claims and ascertaining the Amount of the Shares and Interests of any of the said several Claimants, by Writing under their Hands and Seals to authorize and appoint any Person or Persons to act as their Agent or Agents, in *Sweden* or elsewhere, for obtaining Evidence and Information relative thereto, and to allow to such Agent or Agents all Expences incurred in the Premises, and such Salary, Commission or Remuneration for their Trouble, as to the said Referees shall seem proper.

Referees to have Power to employ Agents.

XVII. And

Referees,  
their Agents,  
Courts and  
Magistrates au-  
thorized to ad-  
minister Oaths  
to Parties and  
Witnesses.

XVII. And be it further enacted, That it shall and may be lawful for the Referees for the time being, and also such Agent or Agents as they shall authorize and appoint as aforesaid, and they respectively are hereby authorized and empowered to examine *viva voce*, or upon written Interrogatories, upon Oath (which Oath they or any One of them are and is hereby authorized to administer), all Persons, whether Parties or Witnesses, touching any Matter whatsoever referred to the said Referees by virtue or in pursuance of this Act; and that it shall be lawful to and for the said Referees for the time being or any one of them, and for such Agent or Agents as aforesaid, for all Courts, Judges, Masters in Chancery, Magistrates, Justices of the Peace, and for all Masters Extraordinary in Chancery, and all Commissioners and Persons who are or shall be authorized by any Court of Record to take Affidavits, to administer an Oath to any Person or Persons making any Affidavit or Deposition in Writing touching any Matter referred to the said Referees, or relating to the Execution of the Powers and Authorities hereby vested in them.

Perjury.

XVIII. And be it further enacted, That in case any Person or Persons, upon Examination upon Oath before the Referees for the time being under this Act, or their Agent or Agents as aforesaid, or in any such Affidavit or Deposition so to be sworn before the said Referees, or any one of them, or any Agent or Agents to be appointed by them as aforesaid, or before any such Court, Judge, Master in Chancery, Magistrate, Justice of the Peace, Master Extraordinary in Chancery, Commissioner, or Person so authorized to administer an Oath as hereinbefore is mentioned, shall wilfully and corruptly give false Evidence, or shall wilfully or corruptly make any false Answer, Statement or Deposition, every such Person 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 force Persons convicted of wilful and corrupt Perjury are subject and liable to.

Referees autho-  
rized to compel  
Attendance of  
Witnesses and  
Production of  
Papers.

XIX. And be it further enacted, That it shall and may be lawful to and for the Referees for the time being, if they shall see fit, either of their own Motion or at the Instance of any Person or Persons having or claiming any Interest, to support or oppose any Claim or Demand, or otherwise, in any Matter hereby referred to the said Referees, to issue their Precept or Precepts under the Hands and Seals of any Three or more of them, summoning any Person or Persons whomsoever to attend them, or any Three or more of them, to declare the Truth touching the Matters referred to the said Referees, or to bring or produce any Book, Deed, Paper, Account or Writing, or any Books, Deeds, Papers, Accounts or Writings relating to any such Matters, or as shall be necessary for executing the Powers and Authorities hereby reposed in the said Referees; all which Persons so summoned are hereby required and directed, upon reasonable Notice of any such Precept, punctually to attend the said Referees, at such Time and Times, Place and Places, as shall be by them or any Three or more of them appointed, under the Penalty for every Omission or Default the Sum of Fifty Pounds; which Penalty shall and may, in all cases where the Precept requiring the Attendance of the Person or Persons making such Default as aforesaid, shall have been issued by the said Referees for their own Motion, be recovered by the said Commissioners for the time being, and shall and may, in all

Penalty.

all cases where the same shall have been issued by the said Referees at the Instance of any other Person or Persons, be recovered by and to the proper Use of the Person or Persons at whose Instance the same shall have been issued; and all such Penalties shall and may be recovered by the said Commissioners or other Persons entitled to recover the same as aforesaid, by any Action of Debt, Bill or Plaint, in any of His Majesty's Courts of Record at *Westminster*, wherein no Effoin, Privilege, Protection or Wager of Law, and not more than One Imparance shall be allowed; and all Penalties to be recovered by the said Commissioners by virtue of this Act, shall be added to and be applied for the same Purposes as the other Monies hereby vested in the said Commissioners.

XX. Provided always, and be it enacted, That on the Back, or in or at the Foot of every Precept to be issued for the Attendance of any Witness, or the Production of any Document, shall be written a Memorandum, specifying whether the same is issued on the proper Motion of the Referees, or at whose Instance the same is issued. Precepts endorsed.

XXI. Provided always, and be it enacted, That no Person or Persons whomsoever shall be compelled or compellable to appear before the said Referees for the time being, or to bring or produce before them any Books, Deeds, Papers, Accounts or Writings, unless at the time of Service of the Precept for such Attendance or Production, or at a reasonable time before the Day appointed for such Attendance or Production, the probable Amount of the Costs and Charges of the Person or Persons summoned, and a reasonable Compensation for his, her or their Loss of Time to be occasioned by such Attendance or Production, shall be tendered to him, her or them; and every Person who shall attend the said Referees, or produce any Documents in pursuance of any Precept, shall be entitled to be re-imbursed and paid by the Person or Persons or Bodies Politic or Corporate at whose Instance such Precept shall have issued, his or her reasonable Costs and Charges, and a reasonable Compensation for his or her Loss of Time; and in case any such Precept shall have issued on the proper Motion of the said Referees, such Costs, Charges and Expences shall be paid by the said Commissioners, as Part of the said Expences incidental to the Execution of the Powers and Authorities hereby vested in the said Referees; and the Amount of such Costs, Charges and Compensation, shall in that case be settled and ascertained by the said Referees, who shall immediately thereupon make and sign an Order to the said Commissioners for Payment thereof; and all Persons entitled to any such Re-imburement or Compensation from the Person or Persons, Body or Bodies Politic or Corporate, at whose Instance any such Precept as aforesaid shall have issued, shall be entitled to recover the same by Action at Law against the Person or Persons, Body or Bodies Politic or Corporate, liable to the Payment thereof, or his, her or their Executors, Administrators, Successors or Assigns, together with full Costs of Suit; and the said Referees are hereby authorized and required, at the Request of any Person or Persons entitled to any such Re-imburement or Payment as last aforesaid, to settle and adjust the Amount thereof, and to make an Order, to be signed by the said Referees or any Three of them, fixing a time and Place, to the Person or Persons, Body or Bodies Politic or Corporate, liable to the Payment thereof, to pay and discharge the same; and in such case the Person

Witnesses' Expences provided for.

or Persons entitled thereto, or his, her or their Executors or Administrators, shall be at liberty to make his, her or their Election to accept thereof, or to proceed generally for the Recovery of his, her or their reasonable Costs and Charges, and a reasonable Compensation for his, her or their Loss of time; and in case of the Election of any Person or Persons to accept of the Sum or Sums so to be ordered to be paid, if the Person or Persons, Body or Bodies Politic or Corporate, liable to the Payment thereof, shall make Default in such Payment pursuant to such Order, then the Person or Persons entitled thereto shall recover the specific Sum or Sums so ordered to be paid, together with Double Costs of Suit.

Double Costs.

Referees to make Compensation on equitable Principles.

XXII. And be it further enacted, That in ascertaining all such Claims as aforesaid, the said Referees shall not be bound by the Invoice Prices of the Goods shipped, or the Costs or Charges of Insurance, by any of the said Claimants respectively, or those under whom they claim, but shall be at full Liberty to estimate their respective Claims upon and Title to Compensation out of the Trust Fund, on such fair and equitable Principles as between the several Claimants may in the Judgment of the said Referees appear to be most proper.

Decisions of Referees conclusive.

XXIII. And be it further enacted, That the Awards, Decisions, Judgments and Directions in Writing of the said Referees for the time being, or any Three or more of them, touching all Matters hereby referred to them, shall be final and conclusive on all Persons whomsoever; and that in case the said Referees for the time being shall differ in Opinion touching any of the Matters hereby referred to them, so that neither they or any Three of them can agree respecting the same, it shall and may be lawful for the said Referees, or the major Part of them, by Writing under their Hands and Seals, to refer such Matter or Matters to the Umpirage or Arbitration of any Person to be chosen as an Umpire by them the said Referees, or the major Part of them; and the Decision of such Umpire shall be final and conclusive.

If Three cannot agree referred to Umpire.

Commissioners empowered to lay out Monies, &c. for safe Custody;

XXIV. And be it further enacted, That the said Commissioners and their Successors shall stand and be possessed of the Monies, Bills, Effects and Property hereby vested in them, upon the Trusts and to and for the Intents and Purposes hereinafter mentioned; that is to say, Upon Trust from time to time at their Discretion, to sell and convert into Money such Part or Parts thereof as shall not consist of Monies, in such manner as to the said Commissioners shall seem most advisable, and to lay out and invest the Proceeds and Produce thereof, and all Monies received as aforesaid, and all Dividends and Interest thereon, and on the Securities, Stocks or Funds wherein the same shall be invested pursuant to this present Clause or Provision in or upon Government Securities, or some of the Public Stocks or Funds, and deposit such Parts as shall not consist of Monies, in the mean time and until the same shall be sold and converted as aforesaid, with such Persons and in such Places for safe Custody thereof, and from time to time to alter, vary and change the Custody in which, or the Securities, Stocks or Funds on or in which the same shall be placed, for other Securities, Stocks or Funds of the like Nature, as they the said Commissioners shall think proper, and from time to time, until such Investments as aforesaid shall be made, to pay all such Monies, Dividends and Interest as aforesaid, into the Bank of *England*, to be

and to stand possessed thereof upon Trust, for Payment of Expences, &c.

placed



placed to the Credit of "The Account of the *Swedish* Compensation Commissioners," and which Monies shall from time to time be drawn and taken from and out of the Bank for the Purpose of investing such Grants, Securities, Stocks or Funds as aforesaid, or other the Purposes of this Act, by the Draft or Order of the said Commissioners, or any Three or more of them; which Drafts or Orders are hereby declared to be sufficient Warrants and Authorities for the said Bank of *England* and the Officers thereof, for Payment of the Monies therein respectively to be specified, and do and shall stand and be possessed of the same Monies, and of the Funds and Securities whereon the same shall be invested, Upon Trust, in the first Place to pay all the Costs, Charges and Expences incident to and attending the obtaining and passing of this Act, and in the next Place to pay or allow to the said *John Atkins* the elder, *George Wood*, *Thomas Wilson*, *Thomas Rowcroft*, *John Anthony Rucker* and *Philip Frederick Behrends*, being the several Persons appointed as such Committee as aforesaid, all their respective Costs and Disbursements as such Committee, and also a Commission at the Rate of Five Pounds *per Centum* on the Amount of all the Monies and Effects hereby vested in the said Commissioners as a Compensation and Remuneration for their Labour, Care and Trouble as such Committee, such Commission to be payable from time to time, at such times and by such Proportions as the said Referees shall direct; and in the next Place to defray all the Costs, Charges and Expences attending the Execution of the Trusts, Powers and Authorities hereby reposed in them the said Commissioners and Referees respectively, and a reasonable Compensation or Remuneration to the said Commissioners, such Costs, Charges and Expences, Commission and Compensation, to be determined and ascertained by the said Referees, and to be paid at such times and by such Proportions as they shall direct; and also to pay to the Referees for the time being, and their Umpire to be appointed under this Act, their respective Executors or Administrators, their and his respective Costs, Charges and Expences of the said Reference or Umpirage respectively, and also to pay to the Referees for the time being a Commission after the Rate of Two Pounds Ten Shillings *per Centum* on the Amount of all the Monies and Effects hereby vested in the said Commissioners, such Commission to be paid and payable at such times and by such Proportions, and to be settled and apportioned as between the Representatives of deceased Referees and Persons declining or becoming incapable to act as Referees, or going to reside beyond the Seas, and Persons continuing to be Referees, and also new Referees from time to time appointed as aforesaid, as the Referees for the time being shall think proper and direct as a Compensation or Remuneration for their or his Trouble and Service in respect of such References respectively, and also to allow to such Umpire such Remuneration or Compensation as to the said Referees shall seem just and reasonable; and in the next Place, when and as the Commissioners for the time being shall be thereunto required by the said Referees for the time being in manner hereinbefore mentioned, to pay and divide unto and amongst all the Persons, Bodies Politic and Corporate, whose respective Claims by the respective Certificates so to be obtained and deposited with the said Commissioners as aforesaid shall appear to be substantiated, and their respective Executors, Administrators or Assigns, such Dividends or

Shares of the said Trust Funds, in Proportion to the Amount of their respective Claims so substantiated, as by such Warrant or Order as hereinbefore mentioned the said Referees shall direct, order and appoint, and to reserve and retain a sufficient Sum of Money out of the said Trust Fund to answer and pay the Amount of the said Dividends upon such of the said Claims as shall not be substantiated, and in respect of which such Reservations shall be ordered as aforesaid, and to answer and pay the same Claims when they shall be so substantiated; or in case the said Claims should be afterwards abandoned or disallowed as hereinbefore mentioned, then to stand and be possessed of the Monies reserved for answering and paying the same, together with and upon the same Trusts as the Residue of the said Trust Funds which shall remain in the Hands of the said Commissioners; that is to say, that the said Commissioners shall stand and be possessed of all such Residue upon Trust for all the Parties interested under this Act, and subject to the further Order and Direction of the Referees for the time being, and to be divided or otherwise disposed of as they the said Referees for the time being, or any Three or more of them, shall thereafter direct or appoint, under or by virtue of and consistently with the Powers and Authorities hereby vested in them.

And stand possessed of Residue, subject to Order of Referees.

Interest deemed Part of Principal.

XXV. And be it further enacted, That for all the Purposes of this Act, any Interest, Dividends or Profits which shall be made by the said Trust Monies, shall be invested, and be deemed as Part of the Principal Monies, and shall be applicable and applied accordingly.

Referees not accountable for Acts done under Authority of Act.

XXVI. Provided also, and be it further enacted, That the said Referees for the time being, or any or either of them, or any Umpire to be appointed under this Act, shall not be accountable or responsible for any Act, Matter, Deed or Thing done by them or any or either of them *bona fide* in or about the Matters hereby referred to him or them; nor shall any or either of such Referees or Umpire be in any manner accountable or responsible for the Acts or Deeds or Act or Deed of the others or other of them.

Commissioners and Referees not answerable for each other's Acts, &c.

XXVII. Provided also, and be it further enacted, That the said Commissioners for the time being, and the Heirs, Executors and Administrators of them, each and every of them respectively, shall be charged and chargeable only for so much Monies as the same Commissioners respectively shall actually receive by virtue of the Trusts hereby reposed in him and them, and that no one or more of them shall be answerable or accountable for the other or others of them, or any or either of them for the Acts, Receipts, Neglects or Defaults of the other or others of them, but each and every of them only and respectively for his own Acts, Receipts, Neglects or Defaults respectively, as shall arise from his own Neglect or Default; and that it shall and may be lawful for the said Commissioners for the time being, and also for the said Referees for the time being, to retain, hire and employ any Clerk and Clerks, Book Keeper and Book Keepers, Agent and Agents, or any other Person or Persons whomsoever, to be employed in and about the Execution of the Trusts, Powers and Authorities hereby reposed in them respectively, at such Salary or Wages as the said Commissioners or Referees for the time being respectively shall think proper, and also to dismiss any such Clerks, Book Keepers, Agents or other Persons, when and as it shall seem expedient to them the said Commissioners or Referees respectively; and that it shall and may be lawful for the said Commissioners

To employ Clerks, &c.

To insure.

sioners to make or effect, or cause to be made or effected upon the said Trust Property, or any Part or Parts thereof, such Insurance or Insurances against Loss or Damage by Fire, Perils of the Seas, or other Perils or Casualties whatsoever, as to the Commissioners for the time being shall seem expedient, and in all respects to manage such Trust Property in such manner as to them shall seem most expedient for the Interest of all the Parties concerned; and also that it shall and may be lawful for the said Commissioners for the time being to adjust, settle, refer to Arbitration, compromise or compound all Accounts, Reckonings, Claims, Demands, Differences, Actions and Suits, Transactions, Matters and Things touching the said Trust Property, or the Execution of the Trusts hereby reposed in them, or any wise relating to the Matters and Things herein contained between them the said Commissioners, or any other Persons or Person whose respective Claims and Interests are not hereby referred to the Referees hereby appointed or between the said *John Atkins* the younger, and *Isaac Aldebert*, or either of them, their or either of their Heirs, Executors or Administrators, and any such Persons or Person as last aforesaid, as to the said Commissioners for the time being shall in their Discretion seem expedient; and also out of the said Trust Funds to indemnify the said *John Atkins* the elder, *Thomas Wilson*, *George Wood*, *Thomas Rowcroft*, *John Anthony Rucker* and *Philip Frederick Bebrends*, and also the said *John Atkins* the younger, and *Isaac Aldebert* respectively, and their and every of their Heirs, Executors and Administrators, from all Demands, Claims, Suits and Actions to be made and prosecuted against them, or any of them, by any Persons or Person whose respective Claims, Demands or Interests are not referred to the said Referees hereby appointed, for or in respect of any Matter or Thing relating to the said Power of Attorney, or their or any of their having joined in granting or having acted under the same, or for or by reason or means of any other Act, Matter or Thing whatsoever, by them or any of them done in relation to any of the Matters and Things mentioned in this Act at any time heretofore.

To adjust all  
Claims, &c.

Commissioners,  
&c. indemnified.

XXVIII. And be it further enacted, That when and as often as any Commissioner shall depart this Life, or be desirous of being discharged of and from the aforesaid Trusts, or shall go to reside beyond the Seas, or shall refuse or become incapable, or decline to act in the said Trusts, then and in every such case the Referees for the time being shall settle, adjust and allow the Accounts of each such Commissioner so dying, or desirous of being discharged, or going to reside beyond the Seas, or refusing or becoming incapable or declining to act; and also that the then remaining or continuing or other Commissioners shall be competent to receive and give Discharges for the Monies which shall appear to be the Balance of the same Account, without any Responsibility in the Person or Persons paying the same Money to see to the Application thereof, or to be answerable or accountable for the Misapplication or Nonapplication of the same.

Accounts of  
Commissioners  
dying or ceasing  
to act, settled.

XXIX. And be it further enacted, That it shall and may be lawful for the Commissioners or Commissioner for the time being to retain to and to take, and also to allow to the Referees for the time being, and to any Umpire to be appointed under this Act, for his and their Services in carrying this Act and the Trusts and Purposes

Commission, &c.  
to Referees.

Purposes thereof into Execution, and to the said *Isaac Aldebert* and *John Atkins* the younger, for their Services rendered and hereafter to be rendered as Attornies or Agents as aforesaid, and to the said *John Atkins* the elder, *Thomas Wilson*, *George Wood*, *Thomas Rowcroft*, *John Anthony Rucker* and *Philip Frederick Behrends*, for their Services as such Committee and otherwise as aforesaid, such Sum or Sums of Money by way of Commission or otherwise, as shall be fixed and ascertained in manner hereinbefore respectively mentioned.

Counterfeiting  
Certificates, &c.

XXX. And be it further enacted, That if any Person or Persons whomsoever shall forge or counterfeit or alter with Intent to defraud any Person or Persons, Body or Bodies Politic or Corporate, or cause or procure to be forged or counterfeited or altered, with such Intent as aforesaid, or knowingly and wilfully aid or assist in the forging or counterfeiting or altering, with such Intent as aforesaid, any Certificate or Certificates of any Claim or Claims under this Act, or the Receipt for any Dividend or Dividends thereon, or any Certificate, Warrant or Order for Payment of any such Dividend, or any Letter of Attorney, or other Authority or Instrument for making, transferring or assigning any such Claim or Claims, or for receiving any such Dividend or Dividends as aforesaid, or any Attestation to any such Letter of Attorney or other Authority or Instrument; or shall forge or counterfeit or alter, with Intent to defraud any Person or Persons, Body or Bodies Politic or Corporate, or procure to be forged or counterfeited or altered, with such Intent as aforesaid or knowingly and wilfully aid or assist in the forging or counterfeiting or altering, with such Intent as aforesaid, the Name or Names of any Proprietor or Proprietors of any such Claim or any Part thereof, or of any Persons entitled thereto or to any Part thereof, in or to any such pretended Letter of Attorney, Instrument or Authority, or the Name of any Person or Persons to any Attestation to any Letter of Attorney, Instrument or Authority, real or pretended, for any of the Purposes aforesaid; or shall utter as true any such Transfer, Receipt, Certificate, Letter of Attorney or other Instrument, knowing the same, or the Attestation thereto, to be forged; or shall knowingly or fraudulently demand or endeavour to have any such Claim or any Part thereof allowed, transferred, assigned, sold or conveyed, or such Dividend or any Part thereof to be received by virtue of any such counterfeit or forged Letter of Attorney, Certificate or Instrument; or shall falsely and deceitfully personate any true and real Proprietor of any of the said Claims or any Part thereof, and thereby procure or endeavour to procure such Claim to be allowed, and such Certificate to be granted as aforesaid, or thereby receive or endeavour to receive the Money of such true and lawful Owner thereof; then and in every or any such case, all and every such Person and Persons, being thereof lawfully convicted in due Form of Law, shall be deemed guilty of Felony, and shall be transported for Seven Years, or shall be adjudged to suffer such lesser Punishment as the Court before whom such Offender or Offenders shall be tried shall think fit to award.

Transportation.

Affirmation of  
Quakers re-  
ceived.

XXXI. And be it further enacted, That a solemn Affirmation or Affirmations shall and may be administered to any Person or Persons who shall be of the People commonly called *Quakers*, in all cases whatsoever where an Oath or Oaths might by virtue of this Act be administered to any other Person or Persons; and that every such Affirmation

Affirmation shall have the same Force and Effect whatsoever, and all Clauses, Provisions, Matters and Things in this Act contained relative to the taking of Oaths, and to the giving of false Evidence, and making any false Answer, Statement or Deposition in any Affidavit or Deposition to be sworn, shall extend and be applicable to all such Affirmations, to all Intents and Purposes whatsoever.

XXXII. And be it further enacted, That if any Action or Suit shall be brought against any Person or Persons for any Thing done in pursuance of any of the Provisions hereinbefore contained, 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 of *Middlesex* or City of *London*, 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 Matters in Evidence at any Trial to be had thereupon; and if the Plaintiff or Plaintiffs in any such Action or Suit shall discontinue or become nonsuit, or Judgment shall be given against him, her or them therein, the Defendant or Defendants shall have his, her or their Costs, with the like remedy for Recovery thereof, as in cases where by Law Costs are given to the Defendant.

XXXIII. Saving always to the King's Most Excellent Majesty, his Heirs and Successors, all such Claims, Rights and Interests in or relating to the Premises, as His Majesty hath at the time of passing this Act or as He, his Heirs or Successors, could or might have or enjoy in case this Act had not been passed.

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

*Cap. cxi.*

An Act for the more equal Assessment of Money presented to be raised by the Grand Jury of the County of the City of *Cork*; and for a new Valuation of the said City and Survey of the Liberties thereof; and for other Purposes relative to Grand Juries.

[3d June 1813.]

*Cap. cxii.*

An Act for the better Relief and Employment of the Poor; and for the Enlargement of the Burial Grounds in the Parish of *Saint Leonard Shoreditch*, in the County of *Middlesex*; and for other Purposes relating to the said Parish.

14 G. 3. c. 29.  
15 G. 3. c. 55.  
repealed.

[3d June 1813.]

*Cap. cxiii.*

An Act for the better Relief and Maintenance of the Poor; and for making a more adequate Provision for the Rector, of the Parish of *Saint Matthew, Bethnal Green*, in the County of *Middlesex*; and for more effectually lighting, watching, cleansing and improving the Streets and other public Places of and within the said Parish.

16 G. 2. c. 28.  
24 G. 2. c. 26.  
3 G. 3. c. 40.  
13 G. 3. c. 53.

[3d June 1813.]

*Cap. cxiv.*

An Act for erecting a Church in the Township of *Everton*, in the Parish of *Walton on the Hill*, in the County of *Lancaster*.

[3d June 1813.]

## Cap. cxv.

An Act for establishing and regulating the Market, and for enlarging and improving the Market Place at *Hanley*, in the County of *Stafford*. [3d June 1813.]

## Cap. cxvi.

52 G. 3. c. 160. repealed as to Parishes of Saint George the Martyr, in Southwark, and Saint Bride, in the City of London and King's Bench, Marshalsea, and Fleet Prisons.

An Act to amend an Act, passed in the Fifty second Year of His present Majesty, intituled *An Act to enable Justices of the Peace to order Parochial Relief to Prisoners confined under Mesne Process for Debt, in such Gaols as are not County Gaols*, so far as regards the Parish of *Saint George the Martyr*, in the Borough of *Southwark*, in the County of *Surry* and the Parish of *Saint Bridget* otherwise *Saint Bride*, in the City of *London*. [3d June 1813.]

## Cap. cxvii.

An Act for erecting and maintaining a new Gaol for the County and City of *Perth*; and for other Purposes relating thereto. [3d June 1813.]

## Cap. cxviii.

An Act for paving and improving the Town of *Warrington*, in the County of *Lancaster*; and for building a New Bridewell in the said Town. [3d June 1813.]

## Cap. cxix.

34 G. 3. c. 90.  
36 G. 3. c. 44.  
38 G. 3. c. xviii.  
41 G. 3. (U.K.) c. xxiii.  
45 G. 3. c. lxx.

An Act to enable the *Kennet* and *Avon* Canal Company to raise a further Sum of Money to purchase the Shares of the River *Kennet* Navigation (a), and to amend the several Acts passed for making the said Canal. [3d June 1813.]

[132,000l.]

49 G. 3. c. cxxxviii. (a) [1 G. 1. Stat. 2. c. 24. P.R.—7 G. 1. Stat. 1. c. 8.—3 G. 2. c. 35.]

## Cap. cxx.

35 G. 3. c. 52.

An Act for explaining and amending an Act of His present Majesty, for making a Navigable Canal from the River *Thames* or *Ifis*, near *Abingdon* in the County of *Berks*, to join the *Kennet* and *Avon* Canal, near *Trowbridge* in the County of *Wilts*; and certain Navigable Cuts. [3d June 1813.]

## Cap. cxxi.

34 G. 3. c. 110.

An Act to enlarge the Powers of an Act of His present Majesty, for embanking, draining and inclosing Lands in the Parishes of *Abergele*, *Saint Asaph*, *Rhydlan*, *Djserth* and *Meliden*, and the Franchise of *Rhydlan*, in the Counties of *Denbigh* and *Flint*. [3d June 1813.]

## Cap. cxxii.

39 G. 3. c. xxvi.  
50 G. 3. c. clxv.

An Act for enlarging the Powers of Two Acts of His present Majesty, for better supplying the Town and Port of *Liverpool* with Water. [3d June 1813.]

Cap.

## Cap. cxxiii.

An Act to amend an Act made in the Thirty fourth Year of His present Majesty for building a Bridge over the River *Slaney* at *Wexford*. [3d June 1813.] 34 G. 3 (1) c. 26.

## Cap. cxxiv.

An Act to amend an Act made in the Thirty fourth Year of His present Majesty, for building a Bridge over the River *Slaney*, at *Ferry Carrig*, in the County of *Wexford*. [3d June 1813.] 34 G. 3. (1) c. 26.

## Cap. cxxv.

An Act for further improving the Communication between the County of *Edinburgh* and the County of *Fife*, by the Ferries cross the *Frith of Forth*, between *Leith* and *Newhaven*, in the County of *Edinburgh*, and *Kinghorn* and *Bruntisland* in the County of *Fife*. (b) [3d June 1813.] 32 G. 3. c. 93. repealed as to Management of Ferries, levying Rates and Duties and Building or repairing landing Places.

## Cap. cxxvi.

An Act for providing a Fund for Annuities for Widows of Members of the Incorporation of Bakers of the City of *Edinburgh*. [3d June 1813.]

[Scheme to be known by the Name of "The Widows' Fund for the Incorporation of Bakers within the City of Edinburgh."]

## Cap. cxxvii.

An Act for amending an Act of His present Majesty, for the better Relief and Employment of the Poor, within the Hundreds of *Colneis* and *Carlford*, in the County of *Suffolk*. [3d June 1813.] 30 G. 3. c. 22.

## Cap. cxxviii.

An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from *Cherrill*, through *Calne*, to *Studley Bridge*, and other Roads therein mentioned, in the County of *Wilts*. (c) [3d June 1813.] 13 G. 3. c. 101. 32 G. 3. c. 114.

[Additional Trustees. Former Tolls repealed, new Tolls granted. Double Tolls on Sunday.]

## Cap. cxxix.

An Act for continuing and amending Three Acts, for repairing the Road from the City of *Durham* to *Tyne Bridge* in the County of *Durham*. (a) [3d June 1813.] 20 G. 2. c. 12. 26 G. 2. c. 48. 13 G. 3. c. 99.

[Additional Trustees. Former Tolls to cease, new Tolls granted.]

## Cap. cxxx.

An Act to continue and amend Two Acts of the Ninth and Thirtieth Years of His present Majesty, for amending the Road from *Bishopsgate Bridge*, in the City of *Norwich*, to a Stone formerly called the *Two Mile Stone*, where the *Norwich Road* joins the *Caister Causeway*, Two Miles and a Half short of the Town of *Great Yarmouth*. (c) [3d June 1813.] 9 G. 3. c. 68. 30 G. 3. c. 86.

[Additional Trustees.]

Cap.

## Cap. cxxxii.

10 G. 3. c. 70.  
33 G. 3. c. 164.  
repealed.

An Act for amending the Road from *Earl's Kill*, in *Warrington* to the Toll Bars in *Wallgate*, in *Wigan*, in the County of *Lancaster*. (b)  
[3d June 1813.]

## Cap. cxxxiii.

29 G. 2. c. 93.  
28 G. 3. c. 112.

An Act for enlarging the Term and Powers of an Act of King *George the Second*, and an Act of His present Majesty, for repairing the Road from *Shrewsbury* to *Wrenham*, and several other Roads in the Counties of *Denbigh*, *Chester* and *Flint*, so far as relates to the Road in the County of *Flint*, called *The Mold District*. (b)

[3d June 1813.]

[Additional Trustees. Former Tolls to cease, new Tolls granted.  
Sunday Tolls.]

[See 25 G. 2. c. 22.]

## Cap. cxxxiiii.

33 G. 3. c. 120.

An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from the *Neat Eastone* and *Chipping Norton* Turnpike Road, through *Bicester* to *Weston on the Green*, in the County of *Oxford*, and for making a new Branch of Road to communicate therewith. (c)

[3d June 1813.]

[Additional Trustees. Former Tolls repealed, new Tolls granted. Double Tolls on Sunday.]

## Cap. cxxxv.

34 G. 3. c. 144.

An Act for continuing the Term and enlarging the Powers of an Act passed in the Thirty fourth Year of the Reign of His present Majesty, for amending and improving the Road leading from the Town of *Rochdale*, to a Place called *Edensfield*, in the Parish of *Bury*, in the County of *Lancaster*. (b)

[3d June 1813.]

[Additional Trustees. Former Tolls repealed, new Tolls granted. Double Tolls on Sunday.]

## Cap. cxxxvi.

11 G. 3. c. 87.  
32 G. 3. c. 160.

An Act for continuing and amending Two Acts of His present Majesty, for repairing the Road from *Shelton* to *Blakely Lane Head* and from *Bucknall* to *Weston Coyney*, in the County of *Stafford*; and also for altering and repairing the Road from *Adderley Green* to *Lane End*, in the same County. (a)

[3d June 1813.]

[Additional Trustees. Former Tolls to cease, new Tolls granted. Double Tolls on Sunday.]

## Cap. cxxxvii.

45 G. 3. c. xl.  
47 G. 3. Sess. I.  
c. xiii.  
50 G. 3. c. lxxxix.

An Act to amend and enlarge the Powers of an Act passed in the Forty fifth Year of His present Majesty, for assessing the Proprietors of Lands in the County of *Rofs*, towards the Expence of making and supporting certain Roads and Bridges therein; and of an Act passed in the Forty seventh Year of His present Majesty, for regulating and converting the Statute Labour in the Counties of *Rofs* and *Cromarty*, and Part of the County of *Nairn*, locally situated



situated in the County of *Rofs*; and of an Act passed in the Fiftieth Year of His present Majesty, for amending and enlarging the Powers of the Two first mentioned Acts. [3d June 1813.]

Cap. cxxxvii.

An Act for enlarging the Powers of an Act of His present Majesty, for repairing the Roads from *Maidenhead Bridge to Reading*, and from the said Bridge to *Henley Bridge* in the County of *Berks*, so far as relates to the *Third District* of the said Roads. 46 G. 3. c. cxlv.

[3d June 1813.]

[Additional Tolls. Double Tolls on Sunday. For Term under former Act.]

Cap. cxxxviii.

An Act for vesting certain Estates devised by the Will of Sir *Edward Lloyd* Baronet, deceased, in Trustees to be sold, and for laying out the Money to arise by such Sale in the Purchase of other Estates, to be settled under the Direction of the Court of Chancery to the same Uses. (q. P.) [3d June 1813.]

Cap. cxxxix.

An Act for effectuating an Exchange of Lands belonging to the Bishoprick of *Worcester* for Lands belonging to the Dean and Chapter of *Worcester*, in the County of *Worcester*. (q. P.)

[3d June 1813.]

Cap. cxl.

An Act for effecting the Sale of certain Parts of the Estates devised by the Will of *Henry Partridge* Esquire, deceased; and for laying out the Money arising by such Sales, together with the clear Money produced by the Sale of certain other Parts of the said Estates, directed to be sold by an Act passed in the Forty ninth Year of the Reign of His present Majesty, in the Purchase of other Estates, and for settling the same to the like Uses. (q. P.) 49 G. 3. c. cxxxvii.

[3d June 1813.]

Cap. cxli.

An Act for inclosing Lands in *Dundraw*, in the County of *Cumberland*. (q. P.) [3d June 1813.]

“ Allotments and Compensations for Tithes, § 19, 20.

Cap. cxlii.

An Act for inclosing Lands in the Township of *Felswell*, in the County of *Norfolk*. (q. P.) [3d June 1813.]

Cap. cxliii.

An Act for inclosing Lands in the Parish of *Clirrow*, in the County of *Radnor*, and extinguishing Vicarial Tithes in the said Parish. (q. P.)

[3d June 1813.]

Cap. cxliv.

An Act for inclosing Lands in the Manor and Parish of *Turweston*, in the County of *Buckingham*. (q. P.) [3d June 1813.]

“ Allotment and Compensation for Tithes, § 18.

Cap.

*Cap. cxlv.*

An Act for inclosing Lands in the Parish of *Whitwell*, in the County of *Derby*. (q. P.) [3d June 1813.]

*Cap. cxlvi.*

An Act for inclosing Lands in the Manor and Parish of *Whitney*, in the County of *Hereford*. (q. P.) [3d June 1813.]

*Cap. cxlvii.*

An Act for inclosing Lands in the Township of *Stockton*, in the County of *York*. (q. P.) [3d June 1813.]

“ Allotments and Compensation for Tithes, § 28, 29, 30.

*Cap. cxlviii.*

An Act for inclosing Lands in the Parish of *Downton*, in the County of *Wilt.* (q. P.) [3d June 1813.]

*Cap. cxlix.*

An Act for inclosing Lands in *Llandyrnog* and *Llangwyfan*, in the County of *Denbigb.* (q. P.) [3d June 1813.]

*Cap. cl.*

An Act for inclosing Lands in the Parish of *Cascob*, and Townships of *Ednol* and *Kinnerton*, in the County of *Radnor*. (q. P.) [3d June 1813.]

“ Allotment to His Majesty, § 22.

*Cap. cli.*

An Act for inclosing Lands in the Township of *Aughton* in the Parish of *Aughton*, in the County Palatine of *Lancaster*. (q. P.) [3d June 1813.]

“ Allotments and Compensations for Tithes, § 27.

*Cap. clii.*

52 G. 3. c. 16.  
PR.

An Act for amending an Act of His present Majesty for inclosing Lands in the Parish of *Milborne Port*, in the County of *Somerset*; and for transferring Borough Rights from certain Lands in the same Parish to other Lands therein, the better to effectuate such Inclosure. (q. P.) [3d June 1813.]

*Cap. cliii.*

An Act for inclosing Lands in the Manor and Township of *Kirkburton*, in the County of *York*. (q. P.) [3d June 1813.]

“ Allotments and Compensations for Tithes, § 23. No Lease of Lands by Vicar of *Kirkburton* without the Consent of His Majesty and his Heirs, as Patrons of the Vicarage, § 24.

*Cap. cliv.*

An Act for inclosing Lands in the Township of *Spalford* and *Wigsley*, in the County of *Nottingham*. (q. P.) [3d June 1813.]

“ Allotments and Compensations for Tithes, § 19.

*Cap.*

## Cap. clv.

An Act to enable the Company of Proprietors of the *South London Water Works* to raise a further Sum of Money\*, and to alter and amend the Powers of an Act passed in the Forty fifth Year of His present Majesty, for making the said Water Works  
[22d June 1813.]

\* [£ 80,000]

## Cap. clvi.

An Act to authorize the Advancement of a certain Sum of Money for carrying into Effect the several Acts for the Improvement of the Port and Town of *Liverpool*, and to amend the said Acts.  
[22d June 1813.]

[Lords of the Treasury may advance £60,000.]

8 Ann. c. 12.  
3 G. 1. Vol. iv.  
p. 392.  
11 G. 2. c. 32.  
2 G. 3. c. 86.  
25 G. 3. c. 15.  
39 G. 3. c. lix.  
51 G. 3. c. cxliii.

## Cap. clvii.

An Act for further improving the Harbour of *Aberdeen*.  
[22d June 1813.]  
[For like Period as 50 G. 3.]

13 G. 3. c. 29.  
35 G. 3. c. 41.  
37 G. 3. c. 101.  
50 G. 3. c. lxx.

## Cap. clviii.

An Act for the further Improvement of the Harbour of *Wexford*.  
[22d June 1813.]  
[For Thirty one Years, &c. Rates and Duties upon Ships and Vessels, Boats, Smacks, Cots, Gabbards, Lighters and Wherries and upon Ballast, to cease and determine, and new Rates and Duties granted.]

34 G. 3. (1.)  
c. 26.

## Cap. clix.

An Act for inclosing, draining and exonerating from Tithes, Lands in the Lordship of *North Kelsey*, in the County of *Lincoln*.  
[22d June 1813.]

See 51 G. 3.  
c. cxxix.

“ No Lease to be granted by the Rector of *Saint Mary South Kelsey* with *Saint Nicholas South Kelsey* without Consent of The King and *Philip Shipworth* Esquire, as Patrons of the said Rectory.

## Cap. clx.

An Act for enlarging the Powers of Two Acts of His present Majesty, for embanking and draining certain Low Lands and Grounds in the Parishes or Townships of *Everton, Scaftworth, Gringley on the Hill, Mislerton* and *Walkeringham*, in the County of *Nottingham*.  
[22d June 1813.]

36 G. 3. c. 99.  
41 G. 3. (U.K.)  
c. cxxxvi.

## Cap. clxi.

An Act for the more effectually draining and improving Lands within the Level of *Hatfield Chace*, and Parts adjacent, in the Counties of *York, Lincoln* and *Nottingham*.  
[22d June 1813.]

See 51 G. 3.  
c. xxv.

Cap.

## Cap. clxii.

An Act for better assessing and collecting the Poor and other Rates, in the Parish of *Saint Giles Camberwell*, in the County of *Surry*, and regulating the Affairs thereof; for repairing or rebuilding the Parish Workhouse, and purchasing Ground for a Cemetery; and for other Purposes relating thereto. [22d June 1813.]

## Cap. clxiii.

35 G. 3. c. 73.  
46 G. 3. c. xc.

An Act for altering and amending Two several Acts of the Thirty fifth and Forty sixth Years of the Reign of His present Majesty, for paving and improving the Parish of *Saint Mary le Bone*, in the County of *Middlesex*. [22d June 1813.]

## Cap. clxiv.

An Act for paving, widening, cleansing, watching, lighting and regulating the Streets and other Public Places within the Borough of *Chepping Wycombe*, in the County of *Bucks*, and for removing and preventing Nuisances and Obstructions therein. [22d June 1813.]

## Cap. clxv.

7 G. 1. Stat. 1.  
c. 26.  
8 G. 2. c. 8.  
29 G. 2. c. 88.  
23 G. 3. c. 110.  
48 G. 3. c. c.

An Act for altering and amending several Acts for repairing the Road from *Saint Giles's Pound* to *Kilbourn Bridge*; and for making a new Road from the Great Northern Road at *Issington*, to the *Edgewars Road* near *Paddington*, in the County of *Middlesex*. [22d June 1813.]

## Cap. clxvi.

An Act for vesting Part of the settled Estates of Sir *Charles Knightsley* Baronet, which were devised by the Will of *Lucy Knightsley* Esquire, in Trustees, to be sold; and for laying out the Money arising thereby, in the Purchase of other Estates to be settled in lieu thereof and to the same Uses; and for other Purposes. (q. P.) [22d June 1813.]

## Cap. clxvii.

An Act for vesting certain detached settled Estates late of *William Whittaker* Esquire, deceased, in Trustees, to sell the same; and to lay out the Monies thence arising, in the Purchase of other Estates, to be settled to the same Uses. (q. P.) [22d June 1813.]

## Cap. clxviii.

23 G. 2. c. 18.  
PR.  
32 G. 3. c. 39.  
PR.

An Act for repealing so much of Two several Acts, passed in the Twenty third Year of the Reign of His late Majesty King *George* the Second, and the Thirty second Year of the Reign of His present Majesty, as are contrary to the Provisions contained in the Will of *Charles Churchill* Esquire, deceased, or the Settlement made on the Marriage of *Charles Churchill* Esquire with the Lady *Maria Walpole*. (q. P.) [22d June 1813.]

Cap.

## Cap. clxix.

An Act for vesting certain Estates devised by the Will of *James Harrison Esquire*, situate in the Counties of *Lancaster* and *Chester*, or one of them, in Trustees, to be sold pursuant to an Agreement entered into for that Purpose. (q. P.)

47 G. 3. Sess. 2.  
c. ci. in part  
repealed.

[22d June 1813.]

## Cap. clxx.

An Act for vesting Part of the settled Estates of *Thomas John Phillips*, of *Newport House* in the County of *Cornwall*, Esquire, an Infant, in Trustees, to be sold; and for investing the clear Monies thence arising, under the Direction of the High Court of Chancery, in the Purchase of other Estates, to be settled in lieu thereof, and to the same Uses. (q. P.)

[22d June 1813.]

## Cap. clxxi.

An Act for vesting Part of the Settled Estates of *Edward William Leyborne Popham Esquire*, in the Counties of *Wilts* and *Berks*, in Trustees, to be sold; and for investing the clear Monies thence arising, under the Direction of the High Court of Chancery, in the Purchase of other Estates to be settled in lieu thereof, and to the same Uses. (q. P.)

[22d June 1813.]

## Cap. clxxii.

An Act for inclosing Lands in the Manor of *East Bedford with Hatton*, in the Parish of *East Bedford*, in the County of *Middlesex*. (q. P.)

[22d June 1813.]

## Cap. clxxiii.

An Act for inclosing Lands within the Township of *Undermilbeck*, in the Parishes of *Windermere* and *Kirkby in Kendal*, in the County of *Westmoreland*. (q. P.)

[22d June 1813.]

“ Allotments and Compensations for Tithes, § 24.

## Cap. clxxiv.

An Act for inclosing Lands in the Parishes of *Isleworth*, *Heston* and *Twickenham*, in the Manor of *Isleworth Syon*, in the County of *Middlesex*. (q. P.)

[22d June 1813.]

“ Allotments and Compensations for Tithes, § 29. Allotment to His Majesty, § 45.

## Cap. lxxv.

An Act for inclosing Lands in *Burghwallis*, in the County of *York*. (q. P.)

[22d June 1813.]

“ Allotment and Compensation for Tithes, § 17.

## Cap. clxxvi.

An Act for inclosing Lands in the several Parishes of *Calne*, *Calstone* *Wellington* and *Blackland*, in the County of *Wilts*. (q. P.)

[22d June 1813.]

“ Allotments and Compensations for Tithes, § 26.

Cap.

## Cap. clxxvii.

An Act for inclosing Lands in the Townships of *Crowle*, *Eastoft* and *Ealand*, in the Parish of *Crowle*, in the County of *Lincoln*, and extending into the West Riding of the County of *York*. (q. P.)  
[22d June 1813.]

“ Allotments and Compensations for Tithes, § 22. 24. 45.

## Cap. clxxviii.

An Act for inclosing Lands in the Parish of *Winterbourne Monckton*, in the County of *Wilts*. (q. P.)  
[22d June 1813.]

“ Allotments and Compensations for Tithes, § 22, 23. No Lease  
“ of Lands by Vicar of *Winterbourne Monckton*, without Consent of  
“ His Majesty, his Heirs and Successors, as Patrons of the said  
“ Vicarage.

## Cap. clxxix.

An Act for securing to *James Lee*, and the Public, the Benefit of his Invention of certain new Methods of preparing Hemp and Flax, by enabling him to lodge the Specification under certain Restrictions.  
[2d July 1813.]

## Cap. clxxx.

An Act for erecting a new Gaol, House of Correction, and Penitentiary House, in the Borough of *Tewkesbury*, in the County of *Gloucester*.  
[2d July 1813.]

## Cap. clxxxi.

23 G. 3. c. 38. An Act for altering and amending an Act made in the Twenty third Year of the Reign of His present Majesty, for making and maintaining the *Thames* and *Severn Canal* Navigation.  
[2d July 1813.]

## Cap. clxxxii.

An Act for making and maintaining a Navigable Canal, from the *Wilts* and *Berks* Canal, in the Parish of *Swindon*, in the County of *Wilts*, to communicate with the *Thames* and *Severn* Canal in the Parish of *Latton*, in the same County.  
[2d July 1813.]  
[*The Company of Proprietors of the North Wilts Canal Navigation, incorporated.*]

## Cap. clxxxiii.

An Act for the Improvement of the Navigation of the Rivers *Bury*, *Loughor* and *Lliedi*, in the Counties of *Carmarthen* and *Glamorgan*.  
[2d July 1813.]

## Cap. clxxxiv.

An Act for altering, enlarging and extending the Power of an Act of His present Majesty, for building a Bridge over the River *Thames*, at the Precinct of the *Savoy*, or near thereunto; and making

making Roads and Avenues to communicate therewith, in the Counties of *Middlesex* and *Surry*. [2d July 1813.]

WHEREAS an Act was passed in the Forty ninth Year of the 49 G. 3. c. 191.  
 Reign of His present Majesty, intituled *An Act for building*  
*a Bridge over the River Thames, from the Precinct of the Savoy,*  
*or near thereunto, in the County of Middlesex, to the opposite Shore,*  
*and for making convenient Roads and Avenues to communicate*  
*therewith, in the County of Surry,* whereby certain Persons and  
 their Successors were incorporated into a Company by the Name  
 and Style of "*The Company of Proprietors of the Strand Bridge,*"  
 and were thereby empowered to build the said Bridge, and to  
 make and maintain certain Roads therein described; and the said  
 Company were thereby authorized to raise among themselves, for  
 the Purposes of the said Act, in such Proportions as they should  
 think proper, any Sum or Sums of Money not exceeding in the  
 whole the Sum of Five hundred thousand Pounds; and in case the  
 same should be found insufficient for the Purposes aforesaid, the  
 said Company were also authorized to raise any further Sum of  
 Money not exceeding Three hundred thousand Pounds, in manner  
 therein mentioned: And whereas the said Company have in  
 pursuance of the Provisions of the said Act, invested the Sum  
 of Fifty thousand Pounds in the Purchase of Reduced Bank An-  
 nuities, in the Names of the Trustees therein mentioned, and have  
 proceeded in the Execution of the said Bridge: And whereas it  
 will be expedient that the Access or Avenue to the said Bridge,  
 from the *Strand* in the County of *Middlesex*, authorized to be  
 made by the said Act, should be varied and altered, and that the  
 said Access or Avenue should be made more convenient, and that  
 some of the Powers and Provisions of the said Act should be  
 amended, altered and enlarged: 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 Parlia-  
 ment assembled, and by the Authority of the same, That it shall  
 and may be lawful to and for the said Company of Proprietors to  
 vary and alter the Access or Approach to the North Foot of the  
 said Bridge from the *Strand*, in the said County of *Middlesex*, in  
 manner described and delineated in the Map or Plan hereinafter  
 mentioned; and also to take and purchase certain Premises men-  
 tioned and described in the Schedule to this Act annexed, for the  
 Purposes of the said recited Act and of this Act.

§ 1.

§ 2.

§ 6.

Company may alter Access to Bridge and Purchase Premises.

II. And whereas Maps or Plans, describing and delineating  
 the intended Alterations in the said Access or Approach, and the  
 Premises mentioned and described in the said Schedule and  
 Books of Reference, containing a List of the Owners or reputed  
 Owners and Occupiers of the Lands and Premises to be taken and  
 used by virtue of this Act, have been deposited with the Clerks  
 of the Peace for the Counties of *Middlesex* and *Surry* respectively;  
 Be it therefore enacted, That the said Maps or Plans and Books  
 of Reference shall remain in the Custody of the said Clerks of the  
 Peace, to the end that all Persons interested therein may, at all  
 reasonable times, have Liberty to inspect and peruse the same,  
 and take Copies or Extracts thereof at their Will and Pleasure,

Maps, &c. to remain in Custody of Clerk of Peace.

Fee.

paying to such Clerks of the Peace the Sum of One Shilling for every such Inspection, and after the Rate of Six pence for every One hundred Words of such Copies or Extracts of the said Book of Reference.

Proviso for Mistakes in Books of Reference.

III. Provided always, and be it further enacted, That the said Company shall have full Power and Authority to make and construct the said Access or Approach, and may purchase and take Possession, for the Purposes of the said recited Act and this Act, of any of the Houses, Buildings, Lands, Tenements and Hereditaments mentioned and described in the Schedule to this Act annexed, notwithstanding the Name or Names of any Person or Persons shall or may have been omitted or incorrectly mentioned or spelt in the said Schedule, in case it shall appear to any Two or more Justices of the Peace of the County in which such Premises are situate, and be certified by Writing under their Hands, that such Error, Omission or incorrect Description proceeded from Mistake.

49 G. 3. c. xcvi. § 58. in part repealed.

IV. And be it further enacted, That so much of the said Act as provides that it shall not be lawful for the said Company of Proprietors to retain any Lands or Grounds to be taken for the Purposes of the said Act exceeding the Breadth of Twenty Yards, shall be and the same is hereby repealed.

Company restrained to 70 Feet in Width for Roads, except in certain cases.

V. And be it further enacted, That it shall not be lawful for the said Company of Proprietors to retain any Lands or Grounds for the Purposes of the said recited Act and this Act, exceeding Seventy Feet in Breadth, except for making and constructing the Access and Approach to the said Bridge, and immediately contiguous to the North Abutment thereof, as laid down and delineated in the Map or Plan hereinbefore mentioned; and also except as to the several Places where the said Roads, by the said recited Act authorized to be made, shall join or unite with other Roads or Streets, or with each other.

Power to raise 200,000l. additional.

VI. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors, in case they or their Committee shall deem it meet and expedient, to raise any Sum not exceeding the Sum of Two hundred thousand Pounds, in Addition to the Sums authorized to be raised by the said recited Act, either among themselves the said Company, or by the Admission of new Subscribers; and every Person or Persons, Body or Bodies Politic, Corporate or Collegiate, subscribing towards raising such further or other Sum of Money, shall be a Proprietor or Proprietors in the said Undertaking, and shall have a like Vote by himself, herself or themselves, or his, her or their Proxy or Proxies, in respect of every Share of the said additional Sum hereby authorized to be raised, and shall also be liable to such Forfeiture, and stand interested in all the Profits of the said Undertaking, in Proportion to such Sum as he, she or they may subscribe thereunto, as generally and extensively, to all Intents and Purposes, as the Proprietors of Shares in the present Capital Stock of the said Company.

Power to raise Money by Mortgage.

VII. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors or their Committee to raise all or any Part of the said Sum of Two hundred thousand Pounds, hereby authorized to be raised, by Mortgage of the said Undertaking, in manner by the said recited Act provided in respect



respect of the Sum of Three hundred thousand Pounds thereby authorized to be raised.

VIII. And be it further enacted, That in case the said Company or their Committee shall think it more advisable and proper to raise the several Sums of Money authorized to be raised by the said recited Act and this Act or any Part or Parts thereof, by granting Annuities payable out of the Rates and Tolls and other Revenue, then and in every such case it shall and may be lawful to and for the said Company to raise any such Sum, by the granting of any such Annuity or Annuities as aforesaid, to or for the Use of the Person or Persons who shall contribute, advance or pay into the Hands of the Treasurer or Treasurers to the said Company, any Sum or Sums of Money for the absolute Purchase of any such Annuity or Annuities, to be paid and payable for any Term or Number of Years, or for or during the natural Life of any such Contributor, or such other Person as shall be nominated by or on Behalf of such Contributor, at the time of Payment of his or her Contribution and Purchase Money, and either with or without Benefit of Survivorship; and the said Company are hereby authorized and empowered to grant all and every such Annuity or Annuities so to be purchased as aforesaid, out of the Rates and Tolls or other Revenue of the said Undertaking, to the Person or Persons who shall agree to purchase the same, or to his, her or their Trustee or Trustees.

Company enabled to raise Money by granting Annuities.

IX. And be it further enacted, That the Grant of every such Annuity as aforesaid shall be by Deed, under the Common Seal of the said Company, and may be according to the Form, or to the Effect following; that is to say,

‘ **WE**, the Company of Proprietors of the *Strand Bridge*, in Consideration of the Sum of Form of Grant of Annuity.  
 ‘ to us paid by *A. B.* of [or, if  
 ‘ intended to be granted with Benefit of Survivorship, by *E. F. G. H. &c.*] do hereby by virtue of an Act of Parliament passed in the Fifty third Year of the Reign of King *George the Third*, intituled [*here insert the Title of this Act*], grant unto the said *A. B.* and his [*or, her*] Assigns [*or, if by Survivorship, unto the said E. F. G. H. &c. and to the Survivors and Survivor of them*]  
 ‘ One Annuity or Yearly Sum of to be issuing  
 ‘ out of all and singular the Rates and Tolls arising by virtue of an Act of Parliament made in the Forty ninth Year of the Reign of His said Majesty, intituled [*set forth the Title of the said recited Act*], and also the said first mentioned Act, and of all other the Revenue of the said Company. To hold unto the said *A. B.* his [*or, her*] Executors, Administrators and Assigns, for the Term of Years [or, as the case may be], To hold unto the said *A. B.* and his [*or, her*] Assigns, during his [*or, her*] natural Life, *or*, To hold unto the said *A. B.* his [*or, her*] Executors, Administrators or Assigns, for and during the natural Life of *C. D.* *or*, if by Survivorship, unto and amongst them the said *E. F. G. H. &c.* and the Survivors and Survivor of them]; and such Annuity or Yearly Sum shall be paid and payable at upon the Day of  
 ‘ yearly, and the First Payment thereof to be made on the Day  
 ‘ 3 I 2



said Annuities, so to be granted as aforesaid, shall be paid to the several Persons entitled thereto in Preference to any Interest or Dividends due and payable by virtue of the said recited Act to the said Company.

X. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors, in case they or their Committee, shall think it meet and expedient, to borrow the Whole of the Remainder of the Sums authorized to be raised in and by the said recited Act and this Act, or any Part or Parts thereof, upon Promissory Notes under the Common Seal of the said Company of Proprietors, which Notes shall be made payable in such manner, and at such time or times, and with such legal Rate of Interest, as the said Committee shall think proper; and all such Notes shall be made either with or without a Power in the respective Holders thereof, to have an Option of becoming a Proprietor of One Share of One Hundred Pounds in the said Undertaking in lieu of every One hundred Pounds of the Principal Money by such several Promissory Notes to be secured, or so much or such Part thereof as the said Committee for the time being, and the Person or Persons advancing such Money on the Security of the said Notes, shall jointly agree upon; which Principal Sums so borrowed, and the Interest thereof, shall be deemed a Lien upon the Tolls authorized to be taken by the said recited Act and this Act, and be paid and discharged in the like manner as Money raised on Mortgage under the said recited Act and the Interest thereof are directed by the said Act to be paid and discharged: Provided always, that no Person shall in any case be admitted to be a Proprietor of any Share in the said Undertaking in lieu of a less Principal Sum of Money than One hundred Pounds advanced on the Security of such Notes; and the Terms and Particulars upon which the respective Holders of such Notes shall be entitled to such Option of becoming a Proprietor or Proprietors in the said Undertaking, shall be fully expressed and set forth in the said several and respective Notes.

Power to raise Money on Promissory Notes.

Provide

XI. Provided also, and be it further enacted, That if the said Committee of the said Company of Proprietors shall deem it expedient, out of any Funds of the said Company or otherwise, to buy up any Shares which may be offered for Sale by any of the said Proprietors, then and in such case it shall and may be lawful for the said Committee, either to direct that any such Share so bought shall merge in the said Undertaking, or that the same shall be transferred to the Chief Clerk of the said Company, or such other Person or Persons they may appoint in Trust for the said Company, and such Shares may in such case at any time thereafter be sold for the Benefit of the said Company, and for the raising of any Sum of Money which may be wanted for the Purpose of carrying the said recited Act or this Act into Execution.

Money may be applied in buying up Shares.

XII. Provided also, and be it enacted, That it shall and may be lawful to and for any Person or Persons, Body or Bodies Politic, Corporate or Collegiate, possessed of any Share or Shares in the Capital Stock of the said Company, to accept and take any Number of such Shares as shall be sold at a less Sum than One Hundred Pounds per Share, in Proportion to the Number of Original Shares holden by such Person or Persons, Body or Bodies Politic, Corporate or

Disposal of Shares.

Collegiate, as he, she or they shall think proper, within Twenty one Days after Notice shall have been given in any Two or more of the *London Newspapers*, or in such other manner as the said Committee shall think proper, of the Intention to dispose of such Shares in manner aforesaid; and in Default thereof, after the Expiration of the said time, any other Person or Persons, Body or Bodies Politic, Corporate or Collegiate, possessed of any Share or Shares in the said Undertaking, who shall make Application for any such Shares at the Place, and within the Period to be limited and appointed by the said Committee for that Purpose, shall be entitled to any Number of such Shares at such Rate or Value as shall be fixed by the said Committee pursuant to the Power hereinbefore given for that Purpose; and in case any such Share or Shares shall remain undisposed of after such Period, it shall and may be lawful to and for the said Committee to sell or dispose of the same to any Person or Persons whomsoever, Body or Bodies Politic, Corporate or Collegiate, in such manner and at such Price or Prices as they shall think proper and expedient.

Power to sell unappropriated Shares at such Price as Company may think proper.

XIII. Provided always, and be it further enacted, That it shall and may be lawful to and for the Committee of the said Company to dispose of such of the Shares authorized to be created in and by the said recited Act as now remain unsold or unappropriated, and also the Shares authorized to be created by this Act, or such Part or Parts thereof as they may deem expedient, at and for such Price and Prices *per Share*, and to such Person or Persons, as the said Committee shall from time to time think proper.

‘ XIV. And whereas the Committee of the said Company have, with the Approbation and Consent of the said Company, paid to the several Proprietors of Shares in the said Undertaking Interest after the Rate of Five Pounds *per Centum per Annum* upon the several Sums of Money which have been paid from time to time upon their respective Shares by virtue of the Calls of the said Committee for and towards the Execution of the said Undertaking;’ Be it further enacted, That it shall and may be lawful to and for the said Committee to continue the Payment of the said Interest by Half yearly Dividends as heretofore, and such Interest or Dividends heretofore paid shall be deemed and taken to be Part of the Capital Stock of the said Company; and the said Interest or Dividends to be henceforth paid shall be paid out of the Capital Stock of the said Company; any thing in the said recited Act to the contrary notwithstanding.

Payment of Interest on Calls authorized.

‘ XV. And whereas by the said recited Act it was enacted, That it should be lawful for the Principal, Fellows and Scholars of *Jesus College*, of *Queen Elizabeth's Foundation*, within the City and University of *Oxford*, to contract for, sell and dispose of the whole of a certain Piece or Parcel of Land then in the Occupation of *John Hanbury Beaufoy* and *Thomas James*, and comprized in the Schedule to the said Act annexed, and thereupon to grant, convey and assign the said Piece or Parcel of Land, and the Fee Simple and Inheritance thereof, under their Common Seal, unto and to the Use of the said Company of Proprietors and their Successors, and the said Company of Proprietors were thereby authorized and empowered to purchase and take the same Piece or Parcel of Land: And whereas the said Principal, Fellows and Scholars were entitled

49 G. 3. c. cxcii. § 53.

§ 62.

under the Provisions of the said recited Act, together with all other Persons from whom any Lands should be purchased by the said Company of Proprietors, to have the first Right of repurchasing any Part of the said Piece or Parcel of Land as should not be wanted by the said Company for the Purposes of the said Act; And whereas the said Company of Proprietors are prevented by other Provisions in the said recited Act from making such Offer of Resale to the said Principal, Fellows and Scholars, in respect of a great Part of the said Piece or Parcel of Land which will not be wanted for the Purposes of the said Act, so that the Repurchase of the Residue of such Part of the said Piece or Parcel of Land which will not be wanted as aforesaid will be of very small Advantage to the said Principal, Fellows and Scholars; Be it therefore further enacted, That the said Company of Proprietors shall and they are hereby required to make Compensation to the said Principal, Fellows and Scholars, within One Calendar Month after the passing of this Act, in respect of such Right to repurchase such Part of the said Piece or Parcel of Land which will not be wanted as aforesaid, and of which the said Principal, Fellows and Scholars have been deprived as aforesaid; and in case the said Company of Proprietors, and the said Principal, Fellows and Scholars shall not agree as to the Amount of such Compensation within Seven Days after the passing of this Act, the same shall be assessed by a Jury, to be summoned in manner by the said recited Act directed in cases where Juries are required to be summoned to assess the Value of Lands, Grounds and Premises to be taken and used for the Purposes of the said recited Act.

Compensation to be made to Jesus College Oxford.

XVI. And be it further enacted, That when the Sum of Fifty thousand Pounds, invested in the Names of Trustees as aforesaid, and the Accumulations and Interest thereof, shall be transferred to the said Company of Proprietors in pursuance of the said recited Act, the same, or a competent Part thereof, shall be forthwith applied in finishing and completing the said intended Bridge; and no Part thereof shall be laid out or expended in the making of Roads or Avenues to the said intended Bridge, or in the Purchase of Houses, Lands or Hereditaments for that Purpose or otherwise howsoever, until and unless the said intended Bridge, and every Part thereof, shall be fully completed and finished.

50,000l. deposited in Bank, and Accumulations when transferred, applied in finishing Bridge before any Part expended on Roads.

XVII. And whereas, for facilitating the Completion of the said intended Bridge, it may be expedient to place Three Centres under the Arches or intended Arches thereof at the same time; Be it therefore further enacted, That so much of the said recited Act as extends, or may be construed to extend to prevent the said Company of Proprietors from erecting and placing more than Two Centres at one time under the intended Arches of the said Bridge, while the same shall be building, shall be, and the same is hereby repealed.

49 G. 3. c. cxcii. § 42. in part repealed.

XVIII. Provided always, and be it further enacted, That the said Company of Proprietors shall not erect or place more than Three Centres at one time under the Arches or intended Arches of the said Bridge, while the same shall be building, and shall not begin to erect any other Centre until one of the said Centres shall be entirely removed, so that there shall not be at any one time more than

Not more than Three Centres used at one time.

Three Centres or Parts of Centres standing, being or remaining under the Arches or intended Arches of the said Bridge; and in case more than Three Centres or Parts of Centres shall be standing or remaining at the same time, the Lord Mayor for the time being of the City of *London* shall have such and the same Power of removing the same; and the Expences of such Removal, and such and the same Penalties, shall be paid and recovered in like manner as are expressed in the said recited Act in case more than Two Centres or Parts of Centres should be standing or remaining at the same time.

## Penalties.

Company authorized to open Bridge for Passengers as such as Arches are turned and Centres removed.

‘XIX. And whereas it will tend to the Convenience of the Public if the said Company of Proprietors have Power to open the said intended Bridge for Passengers before the same shall be fully completed;’ Be it therefore further enacted, That when and so soon as all the Arches or intended Arches of the said intended Bridge shall be securely turned, and all the Centres used in building the same entirely removed, it shall be lawful for the said Company of Proprietors, and they are hereby empowered to make and open a Passage for Passengers over the Works of the said intended Bridge, notwithstanding the Parapets and other Parts of the said Bridge shall not be made or finished, and to demand and receive the Tolls in and by the said recited Act authorized to be taken and received from Passengers crossing the said Bridge; and such Tolls shall be applicable and be applied and disposed of in the same manner as the Tolls authorized by the said recited Act to be taken and received upon the said Bridge, are thereby directed to be applied and disposed of.

In case Land purchased by Company shall not be used, Company to resell to City of *London*.

XX. Provided always, and be it further enacted, That in case any Land or other Hereditaments purchased by the said Company of the Mayor and Commonalty and Citizens of the City of *London*, by virtue of the said recited Act, or any Part thereof, shall not be used for a public Road or Way, the said Company of Proprietors shall and they are hereby empowered and required at the Request of the said Mayor and Commonalty and Citizens of the City of *London*, but at the Costs and Charges of the said Company, by an Indenture under their Common Seal, to grant and reconvey to the said Mayor and Commonalty and Citizens of the City of *London*, by way of absolute Sale, such Land or such Part of such Land and Hereditaments so purchased, as shall not be so used as aforesaid, for such Price or Sum of Money as (if no Part of the said Land so purchased shall be used as aforesaid) shall be equal to the Sum paid by the said Company for the Purchase thereof; but, if Part of such Land and Hereditaments so purchased shall have been used as aforesaid, for such Price or Sum of Money as shall bear the same Proportion to the whole Purchase Money paid by the said Company for the Purchase of the Land, Part of which shall be used as aforesaid, as the Part of such Land which shall not be used shall bear in Quantity to the whole of such Land; and in case of any Difference or Dispute, the same to be adjusted and settled by a Jury; and Conveyances from the said Company of Proprietors shall be valid and effectual; and that upon Payment of the Sum or Sums to be paid to the said Company of Proprietors for such Reconveyances of Land as last aforesaid, it shall and may be lawful for the Treasurer or Treasurers for the time being to the said Company of Proprietors, to sign and give Receipts for the Money for which the same shall be sold, which

Receipts

Receipts shall be sufficient Discharges to any Person or Persons for the Purchase Money for which such Lands or Buildings shall be sold, or for so much thereof as in such Receipts shall be acknowledged or expressed to be received; and such Person or Persons shall not afterwards be answerable or accountable for any Loss, Misapplication or Nonapplication of such Purchase Money, or any Part thereof.

XXI. And be it further enacted, That nothing in this or the said recited Act contained shall extend or be deemed or construed to extend to enable the said Company of Proprietors to stop up or obstruct a certain Way or Street called *Narrow Wall*, in the said Parish of *Saint Mary Lambeth*, in the said County of *Surry*.

Company not to obstruct *Narrow Wall*.

XXII. And be it further enacted, That nothing herein contained shall be construed to enable the said Company of Proprietors to erect any Buildings whatsoever except Toll Houses on the said Bridge and Roads.

Company not to build except Toll Houses.

XXIII. And be it further enacted, That it shall be lawful for the said Company of Proprietors, or their Committee, after giving Twenty one Days Notice in Writing, to be affixed on all the Turnpike Gates which shall then be erected upon the said Bridge and Roads, and advertising the same Twice at least in some Newspaper published or circulated in the City of *London*, from time to time to lease and demise the Tolls granted by the said recited Act and this Act, or any Part or Parts thereof, for any Term of Years not exceeding Three Years, at any one time, for the best Price that can be gotten for the same, payable at such times and under such Covenants as the said Company, or their Committees, shall think fit, they the said Company having a Counterpart of such Lease or Leases, Demise or Demises, and taking such other sufficient Security from the Person or Persons, to whom any such Tolls shall be leased or demised, for Payment of the Rents, and Performance of the Covenants to be reserved and comprized in such Lease or Leases, Demise or Demises, as the said Company or their Committee shall think fit.

Power to lease Tolls.

XXIV. And be it further enacted, That when and as soon as there shall be erected, on any Part of the Ground or Soil upon which any Messuages or Tenements were built, and which have been pulled down in pursuance of the said recited Act or this Act, situate within the Parish of *Saint Mary le Strand*, in the County of *Middlesex*, Messuages or Tenements, or other Buildings liable to be rated to the Land Tax, and Paving, Cleansing, Lighting, Watch and Pools Rates, or any of them, within the said Parish, or for the Payment of any Sum of Money to the Rector and Officers of the Church of the same Parish, then and from thenceforth the said Parish of *Saint Mary le Strand* shall not any longer be entitled to receive the Compensation mentioned and directed by the said recited Act for Deficiencies in the Produce of the said Rates or Sums of Money, by reason of the pulling down the Houses and making the Alterations in pursuance of the said recited Act and this Act without first allowing thereunto, and the said Parish is hereby required to allow thereout, against such Amount of Deficiencies the Amount of the Rates and Sums of Money which such newly erected Messuages or Buildings shall be respectively liable to; any thing in the said recited Act to the contrary notwithstanding.

Provision as to Rates of *St. Mary le Strand*.

49 G. 3. c. cxxv.  
§ 70.

XXV. And

49 G. 3. c. cxcii.  
§ 88.

Distance from  
Somerset House  
Buildings.

Tolls on New  
Roads.

Landing Places,

49 G. 3. c. cxcii.  
§ 108. in part  
repealed.

49 G. 3. c. cxcii.  
§ 79 in part  
repealed.

Expences of  
Juries, and Ver-  
dicts, how ascer-  
tained.

Court of Chan-  
cery may order  
reasonable Ex-  
pences of Pur-  
chases to be paid  
by Company.

‘ XXV. And whereas Doubts have arisen as to the Provision in  
‘ the said recited Act in respect of the Distance to be preserved  
‘ between the said Bridge and Road or Way to be used as an  
‘ Approach from the said Bridge to the *Strand*, and the Outside  
‘ Walls of the Houses or Buildings forming the West Side of  
‘ *Somerset House*, or the Buildings and Premises thereunto belonging,  
‘ and for removing the same;’ Be it further enacted, That the Parapet  
Wall on the East Side of the said Bridge, and the said Road or  
Way, shall not be nearer than Sixty Feet to the said Outside Walls  
of the said Houses and Buildings, such Sixty Feet to be measured  
as directed by the said recited Act.

XXVI. And be it further enacted, That the said Company shall  
and may demand and take upon the Roads mentioned in the said Act,  
the several Tolls mentioned and authorized to be taken and demanded  
by the said Act, for and during the Term and in the manner men-  
tioned and authorized in respect of Tolls to be taken upon the said  
Bridge, and that such Tolls shall be applied and disposed of in  
manner in the said Act mentioned, in respect of the Tolls to be  
taken on the said Bridge.

XXVII. And be it further enacted, That it shall and may be  
lawful for the said Company to make and construct Two Stone Stairs  
or Plying Places at each End of the said Bridge.

XXVIII. And be it further enacted, That so much of the said  
recited Act as extends to exempt any free Burgesses of *Lancaster* from  
the Payment of the Tolls authorized to be demanded and taken by  
the said recited Act and this Act, shall be and the same is hereby  
repealed.

XXIX. And be it further enacted, That so much of the said  
Act as provides that the Expences of impannelling and returning  
Juries and taking Verdicts for the Purpose of assessing the Value  
of Lands, Grounds, Houses, Hereditaments and Premises, to be  
taken or used for the Purposes of the said recited Act and this  
Act, or the Compensation for Good Will, or for any other Injury  
or Damage that may affect any Person or Persons interested in such  
Lands, Grounds, Houses, Hereditaments and Premises, shall be  
settled by any Two or more Justices of the Peace for the Counties  
of *Middlesex* or *Surry* (where such Verdicts were taken, as the  
case may happen to be), shall be and the same is hereby repealed.

XXX. And be it further enacted, That the Costs and Expences  
of impannelling any Jury, and taking any Verdict in pursuance of  
the Provisions of the said recited Act and this Act, shall be settled  
and determined by the Sheriff, Under Sheriff or Coroner, before  
whom such Verdict shall have been given, and such Sheriff, Under  
Sheriff or Coroner, is and are hereby empowered and required  
to examine and settle the same.

XXXI. And be it further enacted, That, where by reason of any  
Disability or Incapacity of the Person or Persons, or Corporation,  
entitled to any Lands, Tenements or other Hereditaments to be pur-  
chased under the Authority of the said recited Act or this Act,  
the Purchase Money shall be required to be paid into the Court of  
Chancery, and to be applied in the Purchase of other Lands, Tene-  
ments or Hereditaments, to be settled to the like Uses in pursuance  
of the said recited Act, the said Court may in its Discretion order  
the



the Expences of all Purchases from time to time to be made in pursuance of the said Act and this Act, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Company of Proprietors, or their Directors, the same being first taxed by a Master of the said Court, and the Provisions of the said recited Act in relation thereto shall be, and the same are hereby repealed.

49 G. 3. c. cxi.  
§ 98. repealed.

XXXII. And be it further enacted, That the Lord High Steward of *Westminster* for the time being, the Very Reverend the Dean of *Westminster* for the time being, the Right Honourable *Charles Seymour Conway* commonly called *Earl of Tarmouth*, *Sir Thomas Sutton* Baronet, *William Congreve*, *Henry Swann*, *Benjamin Bloomfield*, *John Kingdon*, *William Rayley*, *Edward Bilke*, *Hylton Joliffe* and *Arthur Onslow*, Serjeant at Law, shall and they are hereby constituted Commissioners for executing the several Powers in and by the said recited Act specially provided and directed to be executed, in addition to the Commissioners nominated and appointed by the said recited Act; and the said Commissioners hereby nominated shall be and they are hereby invested with all the Functions, Powers and Authorities by the said recited Act given to the said Commissioners therein mentioned, and shall be subject to all the Restrictions, Clauses, Provisions and Enactments in the said recited Act contained in relation to the said Commissioners.

Additional Commissioners appointed.

XXXIII. And be it further enacted, That the said recited Act, and all and every the Tolls, Duties, Powers, Authorities, Provisions, Regulations, Privileges, Penalties, Forfeitures, Matters and Things whatsoever therein contained, so far as the same are not hereby repealed, shall extend, and be construed to extend to operate and be in full Force and Effect, with respect to the Roads mentioned and described in the said recited Act, and with respect to the Access or Approach to be made on the North End of the said Bridge; and also with respect to the Premises mentioned and contained in the Schedule to this Act, as to other Matters and Things to be done, or which may arise in the Execution of this Act, as fully and effectually to all Intents and Purposes as if the same and every of them, and every Part thereof, were repeated and re-enacted in this Act, and were made Part thereof; and the recited Act and this Act shall, as to all Matters and Things whatsoever (except as aforesaid) be construed as one Act.

Provisions of former Act extended to Act.

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

Public Act.

## SCHEDULE to which this Act refers.

Parish and County.	Number on Plan.	Description of Premises.	Owner of Lands	Owner of Buildings.	Occupier.
Saint Mary le Strand, County of Middlesex, and Saint John the Baptist, Savoy.	12	Shed . . .	His Majesty by right of the Duchy of Lancaster	His Majesty by right of the Duchy of Lancaster	Joseph Pegram.
	13	Timber Yard			Do.
	14	Do. and Workshop	Do.	Do.	Do.
	15	Timber Yard	Do.	Do.	Edw. Argles & Co.
	16	Stable . . .	Do.	Do.	Wilson.
	17	Stable . . .	Do.	Do.	Edw. Argles & Co.
	18	Yard . . .	Do.	Do.	Do.
	19	Sutling House	Do.	Do.	Hannah Jennins.
	20	Barracks	Do.	Do.	
	21	Roadway to Yard	Do.	Do.	
	22	Timber Yard	Do.	Do.	Edw. Argles & Co.
	23	Yard . . .	Do.	Do.	Wilson.
	24	Passage into Strand	Do.	Do.	
	29	Dwelling House	Do.	Do.	D. Egg.
	30	Do. Do.	Do.	Do.	G. Yonge.
31	Do. Do.	Do.	Do.	Thos. Alexander.	
32	Do. Do.	Do.	Do.	Wilson.	
33	The Strand				
B. B.	River Thames				
Saint Mary Lambeth, Surry.	108	House and Yard	Ann Mallett	Ann Mallett	Empty.

## Cap. clxxxv.

An Act for inclosing, lighting and improving *Fitzwilliam Square*, in the County of the City of *Dublin*. [2d July 1813.]

## Cap. clxxxvi.

9 G. 3. c. 56. 13 G. 3. c. 103. repealed. An Act for repairing and improving several Roads in the Counties of *Montgomery*, *Merioneth* and *Salop*; and other Roads therein mentioned. (b) [2d July 1813.]

[Double Tolls on Sunday.]

Cap.

## Cap. clxxxvii.

An Act for enlarging the Term and Powers of an Act of King 16 G. 2. c. 3.  
9 G. 3. c. 75.  
31 G. 3. c. 122.  
*George the Second, and Two Acts of His present Majesty, for repairing the Road from Bowes, in the County of York, to Brough under Stainmore, in the County of Westmorland; and for repairing and widening the Road from Maiden Castle to Kaber Cross, and other Roads therein mentioned, in the said Counties. (b)*

[2d July 1813.]

[Additional Trustees. New Tolls, instead of former Tolls.]

## Cap. clxxxviii.

An Act for enlarging the Term and Powers of an Act of King 33 G. 2. c. 57.  
8 G. 3. c. 43.  
42 G. 3. c. 12v.  
*George the Second, and Two Acts of His present Majesty, for amending the Road from Maidstone, in the County of Kent, to Tubb's Lake, in the Parish of Cranbrook, in the said County. (b)*

[2d July 1813.]

[Former Tolls repealed, new Tolls granted. Double Tolls on Sunday. Double Tolls between 1<sup>st</sup> Oct. and 1<sup>st</sup> April on Hop Poles, Timber, Wood, Guns or Iron.]

## Cap. clxxxix.

An Act for enabling the Right Honourable *William Earl of Dartmouth* to grant building Leases of his settled Estates, situate in the Counties of *York, Kent and Middlesex. (q. P.)*

[2d July 1813.]

## Cap. cxc.

An Act for enabling the Honourable and Reverend *Gerald Valerian Wellesley*, Doctor in Divinity, and the Reverend *Richard Hodges* to grant Building Leases of several undivided Shares in a Piece of Land, called *Chelsea Common*, in the Parish of *Saint Luke, Chelsea*, in the County of *Middlesex*, pursuant to an Agreement entered into for that Purpose. (q. P.)

[2d July 1813.]

## Cap. cxci.

An Act to enable the Vicar of the Parish and Parish Church of *Camberwell*, in the County of *Surry*, to grant Leases of the Glebe belonging to the said Vicarage. (q. P.)

[2d July 1813.]

## Cap. cxcii.

An Act for vesting the Estates devised by the Will of the late *Thomas Saunders* Esquire, in Trustees, to be sold, and for applying the Monies thence arising for the Purposes and in manner therein mentioned. (q. P.)

[2d July 1813.]

## Cap. cxcliii.

An Act for substituting and appointing a new Trustee in the Place or Stead of *Francis Lucius Austen* Esquire, for the Purposes of the Settlement made upon the Marriage of *William John Campion* Esquire, with *Jane Austen* Spinster, now the Wife of the said *William John Campion*; and also of the Will and Codicil of  
*Henry*

*Henry Courthope* Esquire, deceased, so far as respects the Freehold and Copyhold or Customary Estates thereby respectively devised to the Uses or upon the Trusts of the said Settlement, and for vesting the Trust Estates accordingly. (q. P.)  
[2d July 1813.]

Cap. cxciv.

An Act for vesting Part of the Estates devised by the Will of *Thomas Duncombe* Esquire, and other Lands settled to the same Uses, in Trustees, to be sold, and for laying out the Money to arise from the Sale thereof in the Purchase of other Estates, to be settled in lieu thereof to the same Uses. (q. P.) [2d July 1813.]

Cap. cxcv.

An Act for exchanging the Lands of *Brabferdorran*, and other Heritages belonging to *Henrietta Sinclair*, as Heir under an Entail, made by *David Sinclair* of *Southdun*, deceased, for other Lands and Heritages belonging to her in Fee Simple; and for vesting the said Lands of *Brabferdorran*, and other Heritages, in Trustees, for the Purposes therein mentioned. (q. P.) [2d July 1813.]

Cap. cxcvi.

An Act for vesting the settled Estates of *Edward Lee* Esquire and *Elizabeth* his Wife, in the Counties of *Waterford* and *Dublin*, and in the County of the City of *Dublin*, in Trustees, to be sold, and for laying out the Monies thence arising in the Purchase of other Estates to be settled to the same Uses as the Estates so sold. (q. P.) [2d July 1813.]

Cap. cxcvii.

An Act for vesting certain Estates devised by the Will of *Thomas Holt* Esquire, in the County of *Suffolk*, in Trust for Sale; and for laying out the Monies thence arising in the Purchase of other Estates, to be settled to the same Uses. (q. P.) [2d July 1813.]

Cap. cxcviii.

An Act for inclosing Lands in the Parish of *Wilbington*, in the County of *Gloucester*. (q. P.) [2d July 1813.]

“ Allotments and Compensations for Tithes, § 24.

Cap. cxcix.

10 G. 3. c. 72. An Act for enlarging the Term of Two Acts of His present Majesty,  
31 G. 3. c. 101. for repairing and widening the Road from *Bicejler*, in the County of *Oxford*, to *Aylesbury*, in the County of *Bucks*. (b)  
[6th July 1813.]

[Additional Trustees. Former Tolls repealed, new Tolls granted. Double Tolls on Sunday.]

Cap. cc.

31 G. 3. c. 103. An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from the Market Place in

in *Bicester*, in the County of *Oxford*, to the *Buckingham* Turnpike Road in *Aynho*, in the County of *Northampton*; and for extending the Powers of the said Act to an adjoining Branch of Road. (b) [6th July 1813.]

[Additional Trustees. Former Tolls repealed, new Tolls granted. Double Tolls on Sunday.]

Cap. cci.

An Act for embanking, inclosing and draining Lands in the Parish of *Wainfleet Saint Mary*, in the County of *Lincoln*.

[7th July 1813.]

“ Allotment to His Majesty, § 23.

Cap. ccii.

An Act to enable the Trustees of certain Lands, demised by the Will of *William Seabright*, deceased, situate in the Township of *Bednal Green* otherwise *Bethen Hall Green*, in the Parish of *Stepney* otherwise *Stabinbeath*, in the County of *Middlesex*, to grant Building Leases thereof. (q. P.) [7th July 1813.]

Cap. cciii.

An Act for enabling *William Hall* Esquire, to assign or surrender a Term of One thousand Years, in Estates, in the County of *Oxford*, unto or in Trust for *Elisba Biscoe* Esquire; and for other Purposes. (q. P.) [7th July 1813.]

Cap. cciv.

An Act for enabling Trustees, under the Direction of the High Court of Chancery, to grant Building Leases of Part of the Estates of *Thomas Milner Gibson* Esquire, deceased, in *Lambeth*, in the County of *Surry*, and in *Islington*, in the County of *Middlesex*; and also under the like Direction, to raise Money by Sale or Mortgage of the same Estates, for Payment of Charges and Incumbrances thereon; and for other Purposes. (q. P.) [7th July 1813.]

Cap. ccv.

An Act for confirming the Purchase of a Term of Years in an Estate at *Knightsbridge* in the County of *Middlesex*, being Part of the Settled Estates of *William Lowndes* the elder, Esquire, deceased, and for vesting Part of the said Settled Estates in Trustees, to be sold, and for laying out the clear Monies thence arising, under the Direction of the High Court of Chancery, in the Purchase of other Estates to be settled in lieu of the Estates sold, and to the same Uses; and to enable Trustees to grant Building Leases of Part of the said Settled Estates; and for other Purposes. (q. P.) [7th July 1813.]

Cap. ccvi.

An Act to enable *The Hope Assurance Company* to sue and be sued; to grant Annuities, and to enrol Memorials thereof, under certain Regulations. [10th July 1813.]

Cap.

## Cap. ccvii.

An Act to enable *The Eagle Insurance Company* to sue and be sued in the Name of their Secretary or any Member thereof; and to enrol Annuities. [10th July 1813.]

## Cap. ccviii.

11 G. 3. c. 98.  
32 G. 3. c. 138.  
repealed.

An Act for amending the Roads from *Hodges* to *Beadles Hill* and *Cuckfield*, and from *Beadles Hill* to *Lindfield*, and from the *Cuckfield* and *Crawley* Road to *Horsbam*, and from *Swingate* to *Shower Green*, all in the County of *Suffex*. (b) [10th July 1813.]  
[Double Tolls on certain Articles between 10th October and 5th April.  
Double Tolls on Sunday.]

## Cap. ccix.

An Act for enabling the Archbishop of *Canterbury* to convey certain Tenements at *Deal*, in the County of *Kent*, to or in Trust for His Majesty, for the Public Service. [10th July 1813.]

51 G. 3. c. cxxvi.

WHEREAS by an Act passed in the Fifty first Year of the Reign of His present Majesty, intituled *An Act for enabling the Archbishop of Canterbury to grant building and repairing Leases of Estates at Deal and Cliffe, in the County of Kent, belonging to the See of Canterbury, and for other Purposes*, after reciting, amongst other things, that *Charles* Lord Archbishop of *Canterbury*, in Right of his See, was seized of or entitled to divers Messuages or Tenements, Lands and Grounds, in the Town and Borough and Parish of *Deal*, in the County of *Kent*, and in the Parish of *Saint Margaret* at *Cliffe*, in the same County, several Parts whereof were or might be required for the Public Service, it was enacted, that it should be lawful for the said *Charles* Lord Archbishop of *Canterbury*, and his Successors from time to time, as to such of his Lands and Grounds so required for the Public Service, then built upon or capable of Improvement by building, situate in the Town and Borough and Parish of *Deal* aforesaid, and in the Parish of *Saint Margaret* at *Cliffe* aforesaid, and more particularly mentioned and described in the Schedule to the said Act annexed, as were and should from time to time be out of Lease, solely and alone with the Approbation of the High Court of Chancery; and as to such of his and their said Lands and Grounds, and the Houses and Buildings then erected or to be erected thereon, as were or should be in Lease to any Person or Persons for Years, or on any Life or Lives, jointly and with the Concurrence of the original Lessee or Lessees for the time being thereof, or his or their Heirs, Executors, Administrators and Assigns respectively, by Indenture or Indentures, to be sealed and delivered by the Lord Archbishop for the time being; and also as to such Leases as were to be granted jointly or with such Concurrence as aforesaid, to be sealed and delivered by such Lessee or Lessees, or his or their Heirs, Executors, Administrators or Assigns respectively, to demise and lease all or any Part of the same Lands and Grounds, Houses and Buildings respectively for any Term of Years, not exceeding Ninety nine Years in Possession, or by way of immediate Reversion, to any Person or Persons, in Trust for His Majesty or his Successors, for the

the Public Service, with and under the Restrictions therein mentioned: And it was thereby provided and enacted, that it should be lawful for the said Archbishop and his Successors, with the Approbation of the said Court, in lieu of the Rent or Share thereby required to be reserved to the said Lord Archbishop and his Successors, upon any Lease or Leases thereby authorized to be made, to accept and make payable in manner thereinafter mentioned, as or in the Nature of a Fine, such Sum or Sums of Money in Gross, as should be equivalent to the Rent or Share of Rent by the said Act required to be reserved by any such Lease or Leases respectively; so that in every such Lease there should be reserved to the Lord Archbishop and his Successors an annual Rent, equal to or exceeding the Rent reserved by the last preceding Lease of the said Lands or Grounds, or a due Proportion of such Rent, in case the same should have been reserved for such Lands or Grounds jointly with other Lands or Tenements: And it was thereby further enacted, that all Monies arising from the Fines so to be taken should be paid into the Bank of *England*, in the Name and with the Privy of the Accountant General of the said Court, to be placed to his Account there *ex parte* the Archbishop of *Canterbury*; and Provision was thereby made for having the Monies so to be paid into the Bank, or the Monies to be produced by Sale of the Navy, Victualling, Transport or Exchequer Bills, to be purchased with any of such Monies, or with the Interest of any of such Bills in manner therein directed, laid out under the Direction of the said Court in the Purchase of Freehold Hereditaments and Copyhold Hereditaments convenient to be held therewith (such Copyhold not to exceed in Value One sixth Part of the Freehold Premises), to be situate in or near the Diocese of *Canterbury*, to be settled to the Use of the said Lord Archbishop and his Successors in the said See of *Canterbury*; and which it was thereby enacted should from the time of the Assurance thereof be annexed to and for ever thereafter continue and be Part of the said See; And whereas by an Indenture of Lease, bearing Date the Twelfth Day of *December*, in the Year of our Lord One thousand eight hundred and twelve, and made between the said *Charles* Lord Archbishop of *Canterbury* of the one Part, and *Sir Thomas Boulden Thompson* Baronet, Comptroller, *Sir Francis John Hartwell* Baronet, Deputy Comptroller, and *Sir William Rule* Knight, and *Henry Peake* Esquire, joint Surveyors, Four of the principal Officers and Commissioners of His Majesty's Navy (on Behalf of His said Majesty) of the other Part; reciting an Indenture of Lease bearing Date on or about the Twenty fourth Day of *June* One thousand eight hundred and ten, and made between the said Lord Archbishop of the one Part, and the said *Sir Thomas Boulden Thompson*, *Sir Francis John Hartwell*, *Sir William Rule*, and *Henry Peake* of the other Part; whereby the said Lord Archbishop demised unto them, in Trust for His said Majesty, his Heirs and Successors, All that Piece or Parcel of Land or Ground, lying in the Parish of *Deal* in the County of *Kent*, being Part of the Lord Archbishop's Waste Land and Sea Beach, belonging to the Manor of *Deal Prebend*, and bounded on the North Side thereof by Ground then or then late let to *John Baker* Esquire, and extends from the said Ground to the new Wall of the Entrance to the Storehouses thereinafter

Indenture of  
Lease dated  
12th Dec. 1812.

' mentioned Sixty six Feet, little more or less, from North to South  
 ' and from East to West, from the High-water Mark of the Sea to  
 ' the Dwelling House then or then late in the Possession of *George*  
 ' *Lawrence* Esquire: And also, all that Piece or Parcel of Land or  
 ' Ground in the said Parish of *Deal*, being Part of the said Lord  
 ' Archbishop's Waste Land and Sea Beach belonging to his said  
 ' Manor, whercon were Storehouses for the Service of His Majesty's  
 ' Ships in the *Downs*; and which said last mentioned Ground con-  
 ' tains in Front from North to South towards the Sea, Two hundred  
 ' Feet of Assize, little more or less; and into the Land East and  
 ' West One hundred and fifty Feet of Assize, little more or less, and  
 ' is bounded on the North Side thereof by the Piece of Land or  
 ' Ground thereinbefore mentioned and intended to be thereby  
 ' demised, and on the South Side thereof by the Piece of Land or  
 ' Ground next thereafter mentioned and intended to be thereby  
 ' demised: And also, Five Feet of Ground then or then lately used  
 ' as a Footway without the Wall of the said Storehouses on the  
 ' South Side thereof; and Five Feet of Ground then used as a Foot-  
 ' way on the West Side thereof next the Country, and contains by  
 ' Admeasurement, together with the said Footway, Two Roods  
 ' and Thirty nine Perches, little more or less: And also, all that  
 ' Capstan and Beach Ground lying between the Sea and the said  
 ' Premises last mentioned, containing from North to South Two  
 ' hundred and ten Feet of Assize, little more or less; and from the  
 ' Front of the said Storehouses to the High-water Mark of the Sea,  
 ' Eighty Feet of Assize, little more or less, and contains by Admea-  
 ' surement One Rood Twenty one Perches and an Half, little more  
 ' or less: And also, all that Piece or Parcel of Land lying in the  
 ' Parish of *Deal* afore said, being Part of the Waste Land and Sea  
 ' Beach of the said Lord Archbishop belonging to his said Manor  
 ' of *Deal* *Prebend*, containing in Length from a Stump or marked  
 ' Post, on the said Five Feet Path or Footway near the said Store-  
 ' houses, thereinbefore mentioned, North, and from thence in a  
 ' straight Line towards *Deal* Castle to another Stump or marked  
 ' Post there fixed, South, Three hundred and seventy nine and an  
 ' Half Feet, or thereabouts, were the same more or less, and in Breadth  
 ' from the said last mentioned Stump or marked Post, to another  
 ' Stump or marked Post, at High-water Mark, towards the East,  
 ' Two hundred and thirty one Feet or thereabouts, little more or less,  
 ' which said Piece of Land last mentioned contains in the Whole Two  
 ' Acres and Two Perches or thereabouts, were the same more or  
 ' less, and is bounded on the North Side thereof by the Piece of  
 ' Land and Premises last thereinbefore mentioned, and intended to be  
 ' thereby demised, and on the South Side thereof by the Piece of  
 ' Land next thereafter mentioned and intended to be thereby  
 ' demised, on the West by other Waste Lands of the said Lord  
 ' Archbishop, belonging to his said Manor of *Deal* *Prebend*, and on  
 ' the East by the High-water Mark of the Sea: And also, all that  
 ' Piece or Parcel of Land lying in the Parish of *Deal* afore said, being  
 ' other Part of the Waste Land and Sea Beach of the said Lord  
 ' Archbishop, belonging to the said Manor of *Deal* *Prebend*, being  
 ' bounded on the North Side thereof by the Piece or Parcel of  
 ' Ground last thereinbefore mentioned, and extending from the same  
 ' Southward Eighty Feet of Assize, little more or less; and from the



' High-water Mark of the Sea, on the East, Westward Two hundred  
 ' and thirty one Feet or thereabouts, little more or less; and is  
 ' bounded on the South and West Sides thereof by other Waste  
 ' Lands of the said Lord Archbishop, belonging to the said Manor  
 ' of *Deal Prebend*, and on the East Side thereof by the High-water  
 ' Mark of the Sea: And also, all that Piece or Parcel of Capstan  
 ' Ground, lying in the Parish of *Deal* aforesaid, being Part of the said  
 ' Lord Archbishop's Waste Land and Sea Beach, belonging to his  
 ' said Manor, and which said Piece or Parcel of Capstan Ground was  
 ' then late in the Occupation of *John Baker*, Esquire; and is bounded  
 ' on the South by the first mentioned Piece or Parcel of Ground  
 ' thereinbefore described, and contains from North to South, at  
 ' each End thereof, Forty five Feet of Assize, little more or less,  
 ' and from East to West, from the High-water Mark of the Sea, to  
 ' the Road leading from the *Middle Street*, along the King's  
 ' Buildings to *Deal Castle*, One hundred and fifty Feet of Assize,  
 ' little more or less: And also, all that Piece or Parcel of Land, Part  
 ' of *Deal Prebend*, with the Buildings thereon erected, situate at the  
 ' South West Side of the Town of *Deal* aforesaid, being Part of certain  
 ' Lands called the *Outgrounds*, containing Sixty seven Feet from  
 ' North to South on the East and West Sides thereof, and One  
 ' hundred and forty seven Feet from East to West, on the North and  
 ' South Sides thereof, little more or less; abutting South and West on  
 ' Lands, Part of the said *Deal Prebend*, then or then late let to *John*  
 ' *May* and *William White*; East on the Road leading from *Dover*  
 ' to the *Lower Street* in *Deal*, and North on Land Part of the  
 ' said *Deal Prebend* let to *Gammon*; and which said Piece  
 ' or Parcel of Land was then used for the Service of His Majesty;  
 ' To hold to them the said Sir *Thomas Boulden Thompson*, Sir *Francis*  
 ' *John Hartwell*, Sir *William Rule* and *Henry Peake*, their Execu-  
 ' tors, Administrators and Assigns, from the making thereof, for the  
 ' Term of Twenty one Years, at and under the yearly Rents,  
 ' and subject to the Covenants and Agreements therein expressed  
 ' and contained, on the Part and Behalf of them the said Sir *Thomas*  
 ' *Boulden Thompson*, Sir *Francis John Hartwell*, Sir *William Rule*  
 ' and *Henry Peake*, their Successors and Assigns, to be kept, done  
 ' and performed: And also reciting an Indenture of Lease, bearing  
 ' Date the Twenty ninth Day of *September* One thousand eight  
 ' hundred and five, and between the said Lord Archbishop of the  
 ' one Part, and *John Cavell* of *Deal* aforesaid, Boatbuilder, of the  
 ' other Part; whereby the said Lord Archbishop demised to the said  
 ' *John Cavell*, All that Piece or Parcel of Ground, situate, lying  
 ' and being in *South Street* in *Lower Deal*, in *Deal* aforesaid, with a  
 ' new erected Brick Building used for the drying of Herrings, a  
 ' large School Room with Workshop under the same, a new erected  
 ' Plumber and Glazier's Shop, a large Boathouse and Workshop,  
 ' Timber Yard, Coal Yard, and sundry Sheds erected and built on  
 ' some Part thereof, with the Garden and Appurtenances to the  
 ' same belonging, abutting to a Five Feet Path or Passage towards  
 ' the East, to Premises demised to *Edward Iggulden* towards the  
 ' West, to *South Street* North, and to Premises demised to the  
 ' Reverend *Montague Pennington* towards the South; and the same  
 ' were then in the Tenure or Occupation of the said *John Cavell* and  
 ' his Undertenants or Assigns; To hold the same to the said *John*  
 ' *Cavell*,

Indenture of  
 Lease, dated  
 29th Sep. 1805.

Indenture of  
Lease, dated  
18th Oct. 1805.

‘ *Cavell*, his Executors, Administrators and Assigns, from the said  
‘ Twenty ninth Day of *September* One thousand eight hundred and  
‘ five, for the Term of Twenty one Years, under the Rents and  
‘ Covenants therein contained, on his and their Parts to be paid,  
‘ done and performed: And also reciting an Indenture of Lease,  
‘ bearing Date the Eighteenth Day of *October* One thousand eight  
‘ hundred and five, and made between the said Lord Archbishop of  
‘ the one Part, and *Edward Iggulden* of *Deal* aforesaid, Brewer, of  
‘ the other Part; whereby the said Lord Archbishop demised to the  
‘ said *Edward Iggulden*, All that Piece or Parcel of Ground lying  
‘ intermixed with the said last mentioned Piece or Parcel of Ground,  
‘ upon Part whereof had then lately been erected and built a Stable  
‘ and Coach-house, and lying opposite to the *Walmer Castle* Inn in  
‘ *South Street* in *Deal* aforesaid, abutting to the hereinbefore mentioned  
‘ Premises towards the East, West and South, and to *South Street*  
‘ North, and the same was then in the Tenure of *Solman*;

Indenture of  
Lease, dated  
18th Oct. 1805.

‘ To hold to the said *Edward Iggulden*, his Executors, Administra-  
‘ tors and Assigns, for the Term of Twenty one Years, at and under  
‘ the Rents and Covenants therein contained: And also reciting an  
‘ Indenture of Lease, bearing Date the said Eighteenth Day of  
‘ *October* One thousand eight hundred and five, and made between the  
‘ said Lord Archbishop of the one Part, and the Reverend *Montague*  
‘ *Pennington* of *Deal* aforesaid, Executor of *Elizabeth Carter* deceased  
‘ of the other Part; whereby the said Lord Archbishop demised  
‘ unto the said *Montague Pennington*, All that Piece or Parcel of  
‘ Meadow or Pasture Land lying and being at the South End of the  
‘ Town of *Deal* aforesaid, and containing by Admeasurement in  
‘ Length, from North to South, Thirty five Rods and Two Feet;  
‘ and in Square Contents by Estimation Two Acres and a Quarter,  
‘ little more or less, through which runs a Common Sewer, being Part  
‘ of the Manor of *Deal* otherwise *Deal Prebend*; abutting to the  
‘ King’s Highway towards the West, to Lands, Part of *Deal Prebend*  
‘ demised to *John Cavell*, towards the North and South; and to the  
‘ Five Feet Walk, leading to *Deal Castle*, towards the East;  
‘ together with all Erections and Buildings erected and built thereon,  
‘ or on some Part thereof (excepting thereout to the said Lord Arch-  
‘ bishop and his Successors, all Mines, Minerals, Quarries and Timber  
‘ Trees), and the same were then in the Tenure of the said *Montague*  
‘ *Pennington*, *Sylvester Eastes*, *Joseph Trounsel*, *William Monday*,  
‘ *William Solman*, *James Tomlin*, *John Wise*, *James Agar*, *Thomas*  
‘ *Cox*, *Thomas Hayward*, the Commissioners under the Act of Parli-  
‘ ament for paving the said Town of *Deal*, and *William White*  
‘ Esquire, some or One of them, their or some or One of their  
‘ Undertenants or Assigns; To hold to the said *Montague*  
‘ *Pennington*, his Executors, Administrators and Assigns, from the  
‘ Date thereof for the Term of Twenty one Years, at and under the  
‘ Rents and Covenants therein reserved and contained, on his and  
‘ their Part to be paid, done and performed; and also reciting an  
‘ Indenture of Lease, bearing Date the said Eighteenth Day of  
‘ *October* One thousand eight hundred and five, and made between the  
‘ said Lord Archbishop of the one Part, and the said *John Cavell* of  
‘ the other Part; whereby the said Lord Archbishop demised to the  
‘ said *John Cavell*, All that Piece of Ground near *Deal Castle*, on  
‘ which was built a Shed, containing Two Roods and Thirty Perches

Indenture of  
Lease, dated  
18th Oct. 1805.

( were the same more or less ), being Part of a certain Piece of Land called *The Valley*, Part of *Deal Prebend*; abutting to other Part of the said Land towards the North, to the Highway towards the West, to the Lands next thereafter mentioned towards the South, and to the Five Feet Walk leading to *Deal Castle* towards the East: And also, all that other Piece of Land abutting to the last mentioned Premises towards the North, to the King's Highway towards the West, and to the Highway leading to the Five Feet Walk and other Premises demised to the said *John Cavell*, towards the South and East, and containing by Estimation One Rood, were the same more or less ( excepting thereout to the said Lord Archbishop and his Successors all Royalties, Mines, Minerals, Quarries and Timber Trees ); To hold to the said *John Cavell*, his Executors, Administrators and Assigns, from the making thereof for the Term of Twenty one Years, at and under the Rents and Covenants therein reserved and contained, on his and their Part to be paid, done and performed; and also reciting the said Act of the Fifty first Year of the Reign of His said Majesty; and that the said several Pieces or Parcels of Ground, and other the Premises thereinbefore mentioned and thereafter mentioned and intended to be thereby demised, were Parcel of the Premises in *Deal* aforesaid, comprised in the Schedule to the said Act; and that the said principal Officers and Commissioners had purchased or were about to purchase, the said several Indentures of the Twenty ninth Day of *September* and the Eighteenth Day of *October* One thousand eight hundred and five and had applied to have a full Term of Twenty one Years in Possession made up to them, in all the said several Indentures of Lease, to which the said Lord Archbishop had consented; and that such Renewals had been perfected accordingly; and that the Sum of Eight hundred and ninety Pounds Four Shillings and Eleven pence had been paid to the said Lord Archbishop as a Fine or Consideration for the same; and that all the said Premises being required for the Public Service, the said Commissioners had requested the said Lord Archbishop to grant to them a Term of Ninety nine Years in the same, upon the Surrender of the said several Indentures of Lease, and the said several renewed Terms of Twenty one Years, which the said Lord Archbishop had also consented to do upon having the Sum of Seventeen thousand nine hundred and fifty nine Pounds One Shilling and Three pence paid as a Fine into the Bank of *England*, to be applied pursuant to the Directions of the said Act; And also reciting an Order of the said Court of Chancery, made upon the Petition of the said *Charles* Lord Archbishop of *Canterbury*, made on the Twenty ninth Day of *November* One thousand eight hundred and eleven, whereby it was ordered that the said Lord Archbishop should be at Liberty from time to time to lay before Mr. *Thomson*, one of the Masters of the said Court, Proposals for One or more Lease or Leases, or for One or more Contract or Contracts for a Lease or Leases, to be granted pursuant to the said Act; and that the said Master should be at Liberty from time to time to state such Proposal or Proposals respectively, with his Opinion thereon to the Court, and be at Liberty to state any special Circumstances relating thereto; And also reciting the said Master's Report, bearing Date the Twenty fourth Day of *November* One thousand

eight hundred and twelve, whereby he certified that a Proposal had  
 been laid before him, on Behalf of the said Lord Archbishop,  
 whereby it was proposed that a Lease should be granted of all the  
 Parcels of Land and other the Premises comprised in the said  
 several therein and hereinbefore mentioned Indentures of Lease, to  
 the said Commissioners of His Majesty's Navy, for the Term of  
 Ninety nine Years, at the yearly Rent of Forty Shillings; and on  
 Payment into the Bank of the Sum of Seventeen thousand nine  
 hundred and fifty nine Pounds One Shilling and Three Pence, by  
 way of Fine or Premium for such Lease; and the said Master also  
 certified that, upon the Evidence stated in the said Report, he was  
 of Opinion it would be for the Benefit of the said Lord Archbishop  
 and his Successors, that a Lease should be granted to the said Com-  
 missioners of the said several Parcels of Land and Hereditaments  
 comprised in the said several Indentures of Lease, situate in the  
 Parish and Town of *Deal*, in the County of *Kent*, Part of the Pre-  
 mises comprised in the Schedule to the said Act of Parliament,  
 for the Term of Ninety nine Years, to commence from the Day  
 of the Date of the said proposed Lease, at the yearly Rent of  
 Forty Shillings; and subject to such Covenants as were directed by  
 the said Act; and also certified his Opinion that the Sum of  
 Seventeen thousand nine hundred and fifty nine Pounds One Shilling  
 and Three pence, proposed to be paid by the said Commissioners  
 by way of Fine or Premium for granting such Lease, was a proper  
 Sum to be paid into the Bank, in manner directed by the said Act,  
 according to the Value of the said Premises, and the Interest of the  
 said Lord Archbishop therein: And also reciting an Order of the said  
 Court, made on the Thirtieth Day of *November* One thousand eight  
 hundred and twelve; whereby it was, amongst other things, ordered,  
 that the said Report should be confirmed, and that it should be  
 referred back to the said Master to settle and approve of the  
 Lease proposed to be granted by the said Lord Archbishop to the  
 said Commissioners as aforesaid; and that the said Commissioners  
 should pay the Sum of Seventeen thousand nine hundred and  
 fifty nine Pounds One Shilling and Three pence into the Bank,  
 with the Privy of the Accountant General of the said Court, to  
 be there placed to the Credit of '*Ex parte* the Archbishop of *Can-*  
*terbury*;' And further reciting, that the Treasurer of His Majesty's  
 Navy had, in pursuance of the said Order, paid into the Bank the  
 Sum of Seventeen thousand nine hundred and fifty nine Pounds  
 One Shilling and Three pence, pursuant to the Directions con-  
 tained in the said Act; and also reciting that the said Master had  
 perused the Draft of the said Lease, and had approved thereof,  
 and had signed his Name in the Margin of the said Lease, in testi-  
 mony of his Allowance of the same: It was by the said Indenture,  
 of the Twelfth Day of *December* One thousand eight  
 hundred and twelve, Witnessed, that in consideration of the Sur-  
 render of all the said several thereinbefore in Part recited Indentures  
 of Lease, and of the said full Term of Twenty one Years in the  
 same, granted upon such Renewals as aforesaid; and also in con-  
 sideration of the Sum of Seventeen thousand nine hundred and fifty  
 nine Pounds One Shilling and Three pence, so paid as thereinbe-  
 fore mentioned, the said *Charles* Lord Archbishop of *Canterbury*,  
 in obedience to the said Order of the said Court of Chancery, and  
 pursuant to and by force and virtue and in exercise and execution  
 of

Indenture,  
 12th Dec. 1812.

of the Power or Authority vested in him for that Purpose by the  
 said recited Act; and of every other Power or Authority enabling  
 him in that Behalf, did demise and lease unto the said Sir *Thomas*  
*Boulden Thompson*, Sir *Francis John Hartwell*, Sir *William Rule*  
 and *Henry Peake*, in Trust for His Majesty, his Heirs and Suc-  
 cessors; all and singular the said several Pieces or Parcels of  
 Ground, with the Messuages or Tenements, and all other the  
 Erections and Buildings erected and built thereon, or on some  
 Part thereof, mentioned and comprised in the said several there-  
 inbefore in Part recited Indentures of Lease; and all Ways,  
 Paths, Passages, Waters, Watercourses, Profits, Commodities and  
 Appurtenances to the same respectively belonging, or in any  
 wise appertaining; and which said Premises were therein men-  
 tioned to be more particularly described in the Plan or Ground  
 Plot thereof, in the Schedule to the said Indenture of Lease; To  
 hold unto the said Sir *Thomas Boulden Thompson*, Sir *Francis John*  
*Hartwell*, Sir *William Rule* and *Henry Peake*, their Successors and  
 Assigns, for the Term of Ninety nine Years, to be computed  
 from the Twenty ninth Day of *September* then last, in Trust for  
 His Majesty and his Successors for the Public Service; subject to  
 the Payment therefore, during the said Term of Ninety nine  
 Years, unto the said Lord Archbishop and his Successors, of  
 the yearly Rent of Forty Shillings on the Feast Days therein  
 mentioned, by equal Portions; and also subject to the Covenants,  
 Provisoes and Agreements therein contained, by and on the Part  
 of the said Sir *Thomas Boulden Thompson*, Sir *Francis John Hart-*  
*well*, Sir *William Rule* and *Henry Peake*, and their Successors, to  
 be paid, served and performed; and after stating that there then  
 was, and for some time past had been, a Public Sewer or Drain  
 passing from North to South through the Whole, or a considerable  
 Part of the Premises thereby intended to be demised; it was  
 thereby agreed, by and between the said several Parties thereto,  
 for themselves, their respective Successors and Assigns, that the  
 said Public Sewer or Drain should from time to time, and at all  
 times during the Continuance of the said Demise, be kept open  
 in the same manner in all respects as the same had theretofore been:  
 And whereas the said principal Officers and Commissioners of  
 His Majesty's Navy, conceiving that it would be for the Benefit of  
 the Public Service to obtain the Fee Simple of the said Grounds,  
 Buildings and Premises so demised to them by the said Lord  
 Archbishop, for the said Term of Ninety nine Years, in Trust for  
 His Majesty and his Successors, for the Public Service as afore-  
 said, upon the like Trust; as also to purchase the Reversion in  
 Fee Simple of Three small Pieces or Parcel of Land (Part of  
 the Estates belonging to the said See) situate at *Deal* aforesaid,  
 and lying contiguous and immediately adjoining to the said  
 Grounds, Buildings and Premises, subject to Three several Leases  
 granted to the Reverend *Montague Pennington*, *John Iggulden* and  
*John Cavell* of the same, by the said Lord Archbishop of *Canter-*  
*bury*, bearing Date respectively the Eighteenth Day of *October* One  
 thousand eight hundred and five, and now intended to be renewed  
 for Three several Terms of Twenty one Years at and under the  
 Rents and Covenants therein respectively reserved and contained;  
 as also to purchase the Scite of the Footpath passing through a Part

of the said Pieces or Parcels of Land; have proposed to the said Lord Archbishop to give for the Purchase of the Reversion in Fee Simple of the said Grounds, Buildings and Premises so demised to them the said principal Officers and Commissioners of His Majesty's Navy as aforesaid, expectant on the said Term of Ninety nine Years, the Sum of One thousand and thirty eight Pounds Ten Shillings and Three Halfpence; and for the Purchase of the Reversion in Fee Simple of the said Three small Pieces or Parcels of Land expectant on the said Three several Terms of Twenty one Years, the Sum of Three hundred and seventy two Pounds; and for the Purchase of the Scite of the said Footpath, the Sum of One hundred Pounds; the said Three several Sums to be paid into the Bank, in the Name of the Accountant General of the Court of Chancery, to be applied as hereinafter is mentioned; and the said Lord Archbishop being satisfied that the said Sums are a full and fair Consideration for such Purchases, thought fit to accede to such Proposal; but the same cannot be carried into Execution without the Aid of Parliament: May it therefore please Your Most Excellent Majesty (at the Petition of the said Charles Lord Archbishop of Canterbury) that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament Assembled, and by the Authority of the same, That it shall be lawful for the Lord Archbishop of Canterbury for the time being, at any time or times, after Payment of the Sum of One thousand and thirty eight Pounds Ten Shillings and Three Halfpence, in manner hereinafter directed, by Indenture or Indentures, to be sealed and delivered by the Lord Archbishop for the time being, to grant, bargain and sell and assure all the said Messuages, Lands, Tenements, Hereditaments and Premises, hereinbefore mentioned or referred to, and by the said Indenture of the Twelfth Day of *December* One thousand eight hundred and twelve, demised or expressed and intended so to be, with their and every of their Rights, Members and Appurtenances, and more particularly described in the First Schedule to this Act annexed, and the Reversion and Reversions, Remainder and Remainders, Rents, Issues and Profits thereof, unto and to the Use of His said Majesty, his Heirs and Successors for ever, for the Public Service, or unto and to the Use of any other Person or Persons, and his or their Heirs and Assigns for ever, in Trust for His Majesty and his Successors, for the Public Service.

Archbishop of  
Canterbury may  
sell Premises,  
&c. described in  
First Schedule, to  
His Majesty for  
Public Service.

Drain or Sewer,  
rated in Lease  
12th Dec. 1812.  
kept open.

II. Provided nevertheless, and be it further enacted, That the said Public Sewer or Drain, mentioned in the said Lease of the Twelfth Day of *December* One thousand eight hundred and twelve, shall from time to time, and at all times, as well from and after as before such Conveyance, be kept open in all respects as the same has heretofore been, or diverted or turned in such manner as shall be from time to time ordered and directed by the Commissioners of Sewers, acting for the District wherein the same is situate.

Archbishop of  
Canterbury em-  
powered to sell  
Premises, &c.  
described in  
second Sched-  
ule.

III. And be it further enacted, That it shall be lawful for the Lord Archbishop of Canterbury for the time being, at any time or times after Payment of the Sum of Three hundred and seventy two Pounds in manner hereinafter directed by Indenture or Indentures to be sealed and delivered by the Lord Archbishop for the time being, to grant,

grant, bargain, sell and assure all the said Three Pieces or Parcels of Land and Premises hereinbefore mentioned or referred to by the said Three several Leaves of the Eighteenth Day of *October* One thousand eight hundred and five as aforesaid, and more particularly mentioned and described in the Second Schedule to this Act annexed; and the Reversion and Reversions, Remainder and Remainders, Rents, Issues and Profits thereof, unto and to the Use of His said Majesty, his Heirs and Successors for ever, for the Public Service, or unto and to the Use of any other Person or Persons, and his or their Heirs and Assigns for ever, in Trust for His Majesty and his Successors, for the Public Service; but subject nevertheless and without Prejudice to the said Three several Leaves, and the said Three several Terms of Twenty one Years if then subsisting, and to any future Renewal or Renewals of the same.

IV. And be it further enacted, That it shall be lawful for the Lord Archbishop of *Canterbury* for the time being, at any time or times after Payment of the Sum of One hundred Pounds in manner hereinafter directed, by Indenture or Indentures to be sealed and delivered by the Lord Archbishop of *Canterbury* for the time being, to grant, bargain, sell and assure the Scite of the said Footpath running through a Part of the said Pieces or Parcels of Land as aforesaid, with all Easements and Appurtenances thereunto belonging, unto and to the Use of His said Majesty, his Heirs and Successors for ever, for the Public Service, or unto and to the Use of any other Person or Persons, and his or their Heirs and Assigns for ever, in Trust for His Majesty and his Successors, for the Public Service; but subject to such Rights of Way, or other Rights, which any Person or Persons, other than and except the said Lord Archbishop and his Successors, may have or claim, in, through, over or upon the same: Provided nevertheless, that such Conveyance of the said Scite of the said Footpath for the Sum of One hundred Pounds as aforesaid shall be on this express Condition, that in case the said Footpath shall at any time hereafter be legally stopped, diverted or turned, the said Principal Officers and Commissioners of His Majesty's Navy do and shall increase the Width of the present Street, called *South Street*, in *Lower Deal*, by giving up a Portion of the Premises through which it runs to and for the Use of the Public at large.

Archbishop may convey Scite of Footpath, &c.

Provido.

V. And be it further enacted, That the said Sums of One thousand and thirty eight Pounds Ten Shillings and One Penny Halfpenny, Three hundred and seventy two Pounds, and One hundred Pounds, shall or may be paid by the Treasurer of His Majesty's Navy into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there, ' *ex parte* the Archbishop of *Canterbury*,' pursuant to the Method prescribed by the Act of the Twelfth Year of King *George* the First, Chapter the Thirty second, and the General Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of King *George* the Second, Chapter the Twenty fourth; and shall when so paid in be laid out in the Purchase of Navy or Victualling Bills, or Transport or Exchequer Bills; and the Interest arising from the Money laid out in such Bills, and the Money received for the same, as they shall be respectively paid off by Government, shall be laid out in the Purchase of other Navy or Victualling Bills, or Transport or Exchequer Bills: Provided, that

Money paid by Treasurer of Navy into Bank, &c.

12 G. I. c. 32.

11 G. 2. c. 24.

it

it shall and may be lawful to and for the said Court of Chancery to make such General Order or Orders, or Special Order or Orders if necessary, that whensoever the Exchequer Bills of the Date of those in the Hands of the said Accountant General shall be in the Course of Payment by Government, and new Exchequer Bills shall be issued, such new Exchequer Bills may be received in Exchange for those which are so in the Course of Payment, as shall be effectual for enabling such Receipt in Exchange, and in that event the Interest of the old Bills shall be laid out as before directed with respect to the Interest when the Bills are paid off; all which said Navy, Victualling, Transport and Exchequer Bills shall be deposited in the Bank, in the Name of the said Accountant General, and shall there remain until the same shall, upon a Petition to be preferred to the Court of Chancery in a summary way, by or on Behalf of the Lord Archbishop of *Canterbury* for the time being, be ordered to be sold by the said Accountant General for carrying the Purposes of this Act into Execution.

Receipts of  
Cashiers of Bank  
sufficient Dis-  
charge.

VI. And be it further enacted, That the Certificate or Certificates to be given by the said Accountant General, together with the Receipt or Receipts of one of the Cashiers of the Bank of *England* to be thereunto annexed, and therewith filed in the Registrar Office of the said Court of Chancery, of the Payment into the Bank of *England* of the said Purchase Monies, or an Office Copy or Office Copies of such Certificate or Certificates, and Receipt or Receipts, shall be and be deemed and taken to be a good and sufficient Discharge for the same, or so much thereof for which such Certificate or Certificates, and Receipt or Receipts as aforesaid, shall respectively be given.

Court of Chan-  
cery empowered  
to lay out Funds  
in Purchase of  
Lands.

VII. And be it further enacted, That it shall and may be lawful to and for the said Court of Chancery from time to time, upon a Petition to be preferred to that Court in a summary way, by or on Behalf of the said Lord Archbishop of *Canterbury* for the time being, to order the Accountant General of the said Court to pay and apply the whole, or any Part or Parts, as to the same Court shall seem right and proper, of the Monies hereinbefore directed to be paid into the Bank, or of the Monies to be produced by Sale of the aforesaid Navy, Victualling, Transport or Exchequer Bills, for the Purchase of Freehold Manors, Messuages, Farms, Lands, Tenements or Hereditaments, of an Estate of Inheritance in Fee Simple, in Possession, or of Copyhold Messuages, Lands, Tenements or Hereditaments convenient to be holden therewith (so as such Copyhold Part shall not exceed in Value One sixth Part of the Freehold Premises so to be purchased) free from all Incumbrances (except Quit Rents, Fee Farm Rents, or other usual Outgoings or Payments), to be situate in or near the said Diocese of *Canterbury*; and that all and singular the Freehold and Copyhold, Manors, Messuages, Farms, Lands, Tenements and Hereditaments which shall be so purchased as aforesaid shall be thereupon immediately settled, conveyed, surrendered and assured unto and to the Use of the Lord Archbishop of *Canterbury* for the time being, and his Successors, in the said See of *Canterbury* for ever; and shall from the time of such Conveyance and Surrender, or Assurance, be annexed to and for ever thereafter continue and be Part of the said See.

VIII. Pro-



VIII. Provided always, and be it further enacted, That no Lease or Leases shall be made by the Archbishop of *Canterbury* for the time being of all or any Part of the Manors, Messuages, Farms, Lands, Tenements and Hereditaments, to be purchased in pursuance of this Act, for any Term exceeding Twenty one Years, in Possession, and not in Reversion, or otherwise, than at the best improved Rent or Rents, payable Half-yearly, or oftener, which can or may be obtained for the same; and that all Leases to be so made by the Lord Archbishop of *Canterbury* for the time being shall be binding on him and his Successors. Term of Leases.

IX. Provided always, and it is hereby further enacted, That it shall be lawful for the said Court of Chancery, from time to time, to make such Order or Orders as to the said Court shall seem meet, for settling and ascertaining the Costs of applying for, obtaining and passing this Act, and of the several Applications to be made to the said Court respecting the Matters aforesaid, and the Costs of taking the said Monies out of the Bank, and investing such Monies in such Purchase or Purchases as aforesaid; and also the Costs and Expences attending the Execution of all other the Trusts of this Act; and for Payment of all such Costs, Charges and Expences, except the Costs of applying for, obtaining and passing this Act, out of the Monies so to be paid into the Bank as aforesaid, or to arise by Sale of the said Navy, Victualling, Transport or Exchequer Bills so to be purchased as aforesaid; and that the Costs of applying for, obtaining and passing this Act, shall be paid by the Principal Officers and Commissioners of His Majesty's Navy for the time being. Court of Chancery may order Payment of Costs and Expences.

X. Saving always to the King's Most Excellent Majesty, his Heirs and Successors, and to all and every other Person and Persons, Bodies Politic and Corporate, his and their Heirs, Successors, Executors and Administrators (other than and except the said *Charles* Lord Archbishop of *Canterbury*, and his Successors Archbishops of *Canterbury*), all such Estate, Right, Title, Interest, Benefit, Property, Claim and Demand whatsoever, of, in, to or out of or upon the said Hereditaments so to be granted, bargained and sold as aforesaid, under or by virtue of this Act, and every or any Part thereof, as he, she and they, and every or any of them had before the passing of this Act, or would, could or might have had, held and enjoyed, in case this Act had not been made. General Saving.

XI. And be it further enacted, That this Act shall be printed by the several Printers to the King's Most Excellent Majesty, duly authorized to print the Statutes of the United Kingdom; and that a Copy thereof so printed by any of them shall be admitted as Evidence thereof by all Judges, Justices and others. Evidence Clause.

## The First SCHEDULE to which this Act refers.

No.	Names of Tenants.	Premises.	Measure.			Reserved Rent		
			A.	R.	P.	£	s.	d.
1.	Commissioners of the Navy	Naval Yard and Premises belonging	—	—	—	10	12	9
4.	John Cavell	Boat Shop, Painter's Do. Yard, &c. &c.	—	—	20	—	—	—
7.	Do.	Piece of Garden Ground	—	—	13	—	—	10
8.	Do.	Do. Do.	—	—	14	—	—	—
5.	Henry Cavell	Store Houses	—	—	7	—	—	8
6.	Edward Iggulden	Stables and Yards	—	—	4	—	—	6
9.	Reverend Montagu Pennington	Two Storehouses and Land	—	—	7	—	—	—
10.	Sylvester Eastes	Bricklayer's Shop and Yard, House and Garden	—	—	35	—	—	—
11.	Trounsell	Garden	—	—	1	—	—	—
12.	William Munday	2 Tenements and Gardens	—	—	15	—	—	—
13.	William Salmon	2 Do. and Do.	—	—	26	—	—	—
14.	James Tomlin junior	1 Do. and Do.	—	—	15	—	—	—
15.	Sylvester Eastes	1 Do. and Do.	—	—	27	—	—	—
16.	John Wise	Garden	—	—	34	—	—	—
17.	James Agar	Garden	—	—	16	—	—	—
18.	Thomas Cox	Garden	—	—	16	—	—	—
19.	Thomas Hayward	Garden	—	—	38	—	3	5
20.	Commissioners of Pavement	Reservoir, &c.	—	—	34	—	—	—
23.	William White, Esq.	Small Tenement with Cow Sheds, &c.	—	—	13	—	—	—
21.	John Cavell	Strip of Land adjoining Navy Yard	—	—	1	15	—	—
22.	Do.	Yards, &c. &c.	—	—	11	—	—	2
25.	Do.	Do. Do.	—	—	6	—	—	—
24.	Commissioners of Steam Engine	Steam Engine, &c.	—	—	7	—	—	—
			7	—	23	11	—	2

EDW<sup>d</sup> HOLL.

## The Second SCHEDULE to which this Act refers.

No.	Names of Tenants.	Premises.	Measure.			Reserved Rent.		
			A.	R.	P.	£	s.	d.
2.	John Iggulden	Piece of Land and Capstan Ground	—	—	10	—	1	—
3.	Reverend Montagu Pennington	Do. Do.	—	—	4	—	1	—
26.	John Cavell	Carpenter's Yard, Capstan and Anchor Ground	—	—	1	—	—	—
27.	Do.	Capstan Ground	—	—	24	—	—	—
			—	—	1	38	—	2

EDW<sup>d</sup> HOLL.

*Cap. ccx.*

An Act for vesting certain Estates devised by the Right Honourable *John Viscount Bateman*, deceased, in Trustees, to be sold, and for laying out the Monies arising therefrom, under the Direction of the High Court of Chancery, in the Purchase of other Estates, to be settled to the same Uses. (q. P.)

[12th July 1813.]

*Cap. ccxi.*

An Act to enable *The Marine Insurance Company of Dublin* to sue and be sued in the Name of their Secretary or Secretaries.

[13th July 1813.]

*Cap. ccxii.*

An Act to enable *The Phoenix Assurance Company of London* to sue and be sued in the Name of their Secretary, or any Member.

[20th July 1813.]

*Cap. ccxiii.*

An Act for altering the Rules, Statutes and Ordinances of the Hospital of *Robert Earl of Leicester*, in *Warwick*; and for enabling the Master and Brethren of the said Hospital to raise Money on the Security of the Estates thereof in order to provide for the Reception of additional Brethren therein. (q. P.)

[20th July 1813.]

*Cap. ccxiv.*

An Act for extending and amending an Act of Queen *Anne*, for making the River *Cham* more navigable, from *Claythorpe Ferry* to the *Queen's Mill*, in the County of *Cambridge*. [21st July 1813]

1 Ann. Stat. 2.  
6. 11.*Cap. ccxv.*

An Act to enable the *Norwich Union Society* for the Insurance of Lives and Survivorships, to sue in the Name of their Secretary, and to be sued in the Names of their Directors, Treasurers and Secretary.

[21st July 1813.]

*Cap. ccxvi.*

An Act to enable the *Norwich Union Society* for Insurance against Loss by Fire, to sue in the Name of their Secretary, and to be sued in the Names of their Directors, Treasurers and Secretary.

[21st July 1813.]





# I N D E X

TO THE

## PUBLICK GENERAL ACTS, 53 GEO. III.

\* Signifies that the Act relates exclusively to Ireland.

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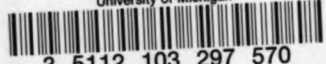








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